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OLD CROSS-EYE, THE MAVERICK-HUNTER; *Or, THE NIGHT-RIDERS OF SATANTA COUNTY.*

A STORY OF TEXAS TO-DAY.

BY CAPTAIN FRED. WHITTAKER.

AUTHOR OF "NEMO, KING OF THE TRAMPS," "RED RUDIGER," "THE RUSSIAN SPY," "THE RED RAJAH," "THE IRISH CAPTAIN," "THE MAN IN RED," "DEATH'S HEAD CUIRASSIERS," "PHANTOM KNIGHTS," ETC., ETC.



MUNCH WAS STOOPING DOWN TO CUT THE WIRES, AND HIS MEN WERE FOLLOWING HIS EXAMPLE, WHEN THEY HEARD THE DISTANT BUT UNMISTAKABLE PATTER OF HORSE-HOOFS AT FULL GALLOP.

## Old Cross-Eye, THE MAVERICK-HUNTER; OR, The Night-Riders of Satanta County.

A Story of Texas To-day.

BY CAPT. FREDERICK WHITTAKER,  
AUTHOR OF "ALLIGATOR IKE," "THE MAN IN  
RED," "PARSON JIM, KING OF THE  
COWBOYS," ETC., ETC.

### CHAPTER I.

#### THE ROUND-UP.

THE Texas of the Lone Star Republic; the land where the wild turkey piped her call to her mate; where the spotted mustang roamed in droves, has vanished for many a year.

The red memories of Goliad and the Alamo; the glorious triumph of San Jacinto, have gone to the limbo of ancient history, which the live American never reads.

The earliest memory of the Texan of to-day runs back to the time "before the war, sir," when his father owned "five hundred likely field-hands;" but it has become unfashionable to refer to that period; the five hundred being gone beyond the possibility of recovery, and the motto of Texas being—"GO AHEAD."

The trapper and hunter have vanished from her plains: the ranger of old has given place to the cowboy. The long horned Texas steers, pride and terror of the country in the days of Mexican ascendancy, are fast being supplanted by Durham bulls and red Devons, from the other side of the sea, whose square, sleek forms promise more beef to the carcass than the old style of animal; but are not capable of a tithe of the wickedness and picturesqueness that resided in the "long-horn," fresh from the pastures, when the "spring round-up" came.

There are rich and poor in Texas to-day, where, fifty, or even thirty years ago, there were no distinctions; where everybody had enough, and no one had too much.

The Texas of old, before the war, with all its wild ways and savage customs, was a land of freedom; where the poorest was as welcome as the richest; where millionaires were unknown. The boast of the native then was that he was a Texan; now there are "cattle-kings" and "cow-punchers;" lords and vassals; and the machinery of privileged classes is rising up, out of sight of people in the East, with a rapidity that has already shaken Texas to the foundations of her society, and is likely to do more before the problem is settled.

Out in the county of Satanta, where the Indians had been driven out so lately that the boys remembered them; where the total number of farms in the census was set down at twenty four, in a territory that covers many thousand square miles of soil, the inhabitants had not yet come to the grief that attends on the visit of the land-sharks; and the ranchers carried on their business in the old-fashioned, good-natured happy-go-lucky style, that was the normal state of Texas, not long ago.

Judge Collingsworth asked his neighbors to help him in rounding up for the spring drive, and they came, from ten and twenty miles round the county, to taste the old gentleman's "rye," and eat of his corn-dodgers and bacon, with the knowledge that they were likely to get more than they would, anywhere else, on account of the presence of the judge's daughters. They all called Collingsworth "the judge," though he had never studied a line of law; just as they called Callahan, of the Lame Hog Ranch, "the colonel."

Mr. Callahan had never seen a day's service, even in the militia, but he wore a mustache and shaved the rest of his face, while he owned a pair of military spurs; wherefore they called him "colonel," and the title stuck to him.

The Collingsworth ranch had the distinction of being the only one, in the county of Satanta, that did not have some nickname attached to it. The fact of the judge having two pretty daughters had a good deal to do with this; for the Texan goes to nicknames as naturally as a duck to water.

The neighbors who had come to help in the round-up had each his name, generally founded on a peculiarity of personal appearance.

There was "Limpie" Balstrop, of the "Bucker's Ranch," who could do more swearing than any man in Texas, but never was known to say worse than a mild "Geeroosalem," when ladies were present. He got his name from a halt in his gait, caused by a fight with a bucking broncho, which had given the name to his ranch itself.

Limpie was at home only on horseback, and hated to show his halt on the ground.

The tenant of the next ranch to Balstrop's was Mr. Thomas Burleson, known to fame as "Punch," from the manner in which he handled cattle for market; and his place had acquired the unenviable title of the "Screw-worm

Ranch," from the prevalence of that interesting insect there.

"Deaf" Smith, of "Dunderhead Ranch," justified his name in every respect; and the last man of the bunch to deserve a cognomen was Hank Kimble, who went by the name of "the Nailer," because his favorite form of amusement was driving nails with rifle or pistol bullets, whenever he had a little time to spare and money to buy ammunition.

That morning, when they came riding up to the judge's ranch to help him in the round-up, they were a fine-looking crowd, and had the true, old-fashioned Texas flavor about them.

They were all healthy, strong fellows, with long hair—from the scarcity of barbers—and they rode hardy, vicious little bronchos, good for sixty miles a day for a week; but carrying more vice to the square inch in their rough hides than twice their number of ordinary American horses.

Colonel Callahan was the neatest and most dandified in his dress, for he prided himself on his military appearance, and had an eye on Diana Collingsworth, who was to come out with the men, that day, and see the round-up, with the intention of helping at a pinch, for Diana could ride like any man, and had the pluck, too.

Her sister, Helen, who presided over the house, stood in the doorway, smiling at the cavaliers as they came up, and by no means too proud to offer them the huge demijohn, that had been filled that morning, and was getting low, after the arrival of the fourth party of riders.

Each rancher brought his cowboys along with him, and the whole party of horsemen numbered more than twenty, when they set out at last.

All around them the prairie lay, covered with its luxuriant growth of grass, rich and heavy beyond anything known in the North, and the little *mottes* of timber that used to be such a feature of Texas landscapes had not yet been destroyed by the settlers for fuel and fence-rails.

Satanta county was still the Texas of old, and game had not yet taken its departure under the desolating advances of the breech-loading shot-gun.

The judge rode in the cavalcade, and the young fellows dashed on ahead of the main party, to explore the country and find where the herds lay. Collingsworth's Ranch covered some three miles square of land, but the cattle roamed over the prairie for a long distance away from the limits of the grant, and had to be gathered up for the branding, by circling round them and driving them into a common center.

The party divided into groups as it advanced, and the long yells of the cowboys echoed over the plain, as they roused up the cattle from the shelter of the *mottes*, where they were lying down chewing the cud, and started them in toward the center of the ranch, with a view to getting them into control as easily as possible before they got scared and stampeded.

The first part of the work was easy enough, for the circuit was large and the men did not try to drive the cattle fast. The hard riding would come soon enough, and the existence of a herd of "Mavericks," which was reported as having strayed into the range, and to be lying down in one of the *mottes*, made the riders anxious to spare their horses all they could, in the early hours of the day.

These Mavericks were said to be all long-horns, of the wildest kind, and ready to fight as soon as they were approached.

"Maverick" is a nickname, in Texas, for a wild, unbranded steer which has never known an owner. The name comes from an early settler of the Lone Star Republic, who left a lot of cattle on an island till they grew so numerous that they had to be taken off it, when they proved too wild to move, and scattered all over the country. Since that day, wild cattle in Texas and all through the West are called "Mavericks."

It had got to be noon when the cowboys, in the advance of Collingsworth's main party, were seen to stop and eye a *motte* of timber in a way that showed they saw something they had not expected, and which alarmed them.

Instead of going on as they had done, swinging their long whips and yelling to start the cattle up from their lumbars, they had halted before the *motte*, which was nearly two miles across, and were eying it with suspicion, gathering into a group and talking together, but not approaching the timber.

"Reckon they've struck 'em," said Limpie, sententiously, and he stooped from his saddle to draw the girth tighter—a feat which a man can perform in a Texan-saddle, where a rider of the North would have to dismount.

Deaf Smith, who couldn't hear a word, saw the stoppage of the cowboys, and observed to Collingsworth, who was riding by him:

"Thar's a heap of 'em, in thar, jedge. Reckon we hain't got men enough to master 'em."

"If they are too wild, we shall have to drive them off the ranch," answered the judge. "Old Cross-Eye can have them if he bankers after

that kind of thing. I am not anxious, unless they promise to be more profit than trouble, and that's what they seldom are."

Deaf Smith watched his companion, and made out enough, from the motion of his lips, to answer:

"That's what I told Hank Kimble, when he axed me to come over and help the round-up. Says I to him, says I: 'If thar's any Mavericks in the lot, my advice is to shoot the darned critters. I see the new company's a-settin' up the posts fur the wire, jedge. Ain't it a scandalous shame?'

But the conversation never got any further, for, at that moment, the men in front were seen to turn their horses; and, the next moment, out of the *motte* burst a grand herd of bulls, most of them black, with long horns that waved wildly in the air, as they shook their heads and eyed the cavalcade in front of them.

There were two or three hundred of them, and everybody knew that they were only the forerunners of the herd of cows that were behind them.

They came ramping out of the timber, shaking their heads defiantly, as if they threatened any one who should dare to come within charging distance.

They were all bellowing at once, in low grumbling tones, that were not as yet furious, but had a strong flavor of anger and warning.

"Punch" Burleson came riding back from the advance to say:

"Look out, boys. Keep Miss Di out of the way. The brutes are going to charge."

### CHAPTER II.

#### THE MAVERICKS.

THE cowboys in the advance began to turn their horses and ride back singly, leaving a few on the watch, as soon as the bulls came out. They knew that, if they all galloped away together, the cattle would take it as a sign of alarm, and come out in full charge.

As the last man turned to go back, a bull tossed his head and pawed the ground in the menacing way that showed he was trying to work himself into a passion, and the action was imitated by several others, while the heads of the cows came peering out of the timber, to see what was the matter.

Then "Punch" Burleson shouted out, as he waved his long quirt:

"Come, boys. If we're a goin' to hev a round up, now's the time! Sail in!"

With that, the men of the party made a line, like the skirmishers of an army, and slowly advanced in the direction of the phalanx of bulls, cracking their long whips like pistol-shots, and yelling in chorus the long cry:

"WHA-YO—WHOOPI!"

The bulls that had been pawing the ground a moment before, preparing to charge, hesitated as soon as they saw the resolute attitude of the men, and the hindmost retreated to the shelter of the timber, while the foremost began to look from right to left, with every sign that they suspected a trick in the advance.

The object of the cowboys was to drive them through the timber, where they would be met by the other party, which had gone round the other side of the ranch.

It was hoped that the sight of other cattle, in quiet subjection, might induce the Mavericks to go into the corral, where there would be some chance of controlling them. Out in the open, it was impossible; and the problem was to keep them from stampede, long enough to get them behind the bars.

The line of horsemen went forward steadily, not endeavoring to drive the cattle, so much as to keep them from breaking into a charge; and they might have succeeded in their design, when there was a sudden motion in the herd, that showed something was disturbing the animals, as a man in a flaming red blanket, which waved from his shoulders like scarlet wings, appeared in front of the cattle, as if he had just ridden round, from the other side of the *motte*.

The sight of the hated color set them at once into a fit of fury that knew no bounds. There was a loud explosion of bellowing; the bulls began to tear up the sods again, and throw the dust in the air, and, before the cowboys could stop them, the whole herd, followed by the cows, dashed out of the *motte*, full charge, and made straight for the man in the red blanket, who turned his horse and fled from before them, taking the direction of the party of cowboys, and yelling as he came.

The boldest among the ranchers paled slightly as the rush began; for they all knew that it would be impossible to stop it, and difficult to get out of the way.

Collingsworth shouted to his daughter, who was riding in the rear of the party:

"Run, Di, run! Make for the rock of the mesquites."

He himself spurred his horse; turned tail as hastily as any there; and down came the rush of the herd, breaking through the thin line of cowboys as if they had been dummies, and scattering them like chaff.

It was no use trying to stem that charge; for

which had the effect of stopping the advance of the herd in a moment.

The bulls had never heard such a sound before, and it frightened them.

They stopped and huddled together in a dense mass, staring at the figure in red before them, and gave symptoms of a stampede in a new direction.

The wary hunter put up the bugle as soon as he saw that they were frightened, and rode round the flanks of the herd, watched closely all the time by the bulls, who got to the outside and kept between the cows and danger, as they thought.

They did not attempt to go any further, but stood there watching the hunter.

Knowing as he did their habits, he was enabled to get behind them, and when he drew forth the bugle once more the effect was instantaneous.

The first blast set them to huddling together, trembling and snorting, and the second sent them off in a wild stampede, that would have defied the efforts of an army to stop them. All their fatigue was forgotten in the moment he blew that blast—to the wild cattle terrible as the last trump.

They started on a dead run, as if they had been just freshly aroused, past the *motte*, in which they had been about to take refuge, at a pace of ten miles and more an hour, while the prairie sped away behind them; and no one, pursuer or pursued, took any notice of the distance.

The hunter followed at a more moderate pace, not attempting to keep near the cattle, but satisfied with being in sight all the time.

The miles turned into leagues, the sun climbed up into the heavens and declined again, and still the stampede went on, with the same frantic speed on the part of the wild cattle, till nearly fifty miles had been passed over, within six hours, when Old Cross-Eye muttered to himself, as he rode:

"They can't keep this up much longer. I wonder where Tom's gone to?"

The herd was running as rapidly as ever, when a dark spot appeared, and was revealed as the body of a cow, that had dropped in the mad race, and lay there, dying, with her tongue out, and the look in her eyes that told of complete exhaustion.

The hunter no longer pressed the crowd. He knew that his work was nearly done.

He slackened his own pace to a walk. The herd did the same gradually, till it was pressing on slowly, the foremost trotting, at intervals, to escape the pressure, the rest straggling in the rear, and stringing out, further and further.

Old Cross-Eye tried another blast on the bugle, but it had little or no effect. The cattle were too tired to stampede any more.

Another cow dropped down in the rear of the herd, and the hunter was obliged to allow them to stop.

Then at last, when the expression of his face showed he was getting anxious; for the cattle, if allowed to feed and rest, would be as unmanageable as ever, he saw a horseman coming over the green prairie in front, on the other side of the herd, and cried aloud in his joy:

"Good boy, Tom! We'll get them yet."

He drew out the bugle, and blew a succession of loud blasts, under the effect of which the cattle lifted their heads from the grass which they were beginning to crop, and started to run again, not so rapidly as before, but with sufficient vigor to show that they had not lost all their strength yet.

The strange horseman came on toward the herd; then veered off to one side, and came racing round the flank, at a pace that showed he was well mounted, exhibiting the face and figure of a tall, handsome young fellow, with keen blue eyes and the picturesque dress of a prairie man of the old school, in all its bravery of buckskin trimmings and fringes.

He was mounted on a fine pony, of the same spotted variety as that of Old Cross-Eye, and rode in a similar home-made saddle of the Comanche pattern.

As he came up to the Maverick-Hunter, Old Cross-Eye said briefly:

"Drive 'em into the corral. Had a long chase. Took 'em from under the nose of old Collingsworth, and they were all as mad as blazes. Having a round up."

The young man nodded, as if he understood the order, and the two set out to drive the herd, in the same style that they would have adopted if their cattle had been of the ordinary tame kind.

Had they tried this an hour before, it would have resulted in a charge, and the whole herd getting loose. As it was, the poor creatures were so completely exhausted by their long chase, they could not get enough energy to fight; submitted to be driven by the terrible whips carried by both their pursuers, and trotted on, bellowing and grumbling at the worry to which they were subjected, but obeying all the while, till the line of a fence appeared on the prairie before them, toward which they were driven.

The sight of the fence scared them, and they shied away from it, running along the side, as if seeking a road to escape, but they advanced nevertheless.

The two men behind kept them on the run, till they had brought them to a place where the line of the fence ended, and an opening appeared, as if it had been left on purpose.

Through this they rushed, bellowing; and as soon as they were inside, the two men jumped off their ponies and began to pick up from the ground the rails that had been lying there all the time, hidden in the grass.

They had to work hard, for they had no help; but, at the end of an hour of arduous exertion, they had the opening closed, the herd was inside the corral, though the cattle did not know it, and Old Cross-Eye said to his partner:

"Tom, my boy, that was a good job, well done."

#### CHAPTER IV.

##### IN THE CORRAL.

THE spot which Old Cross-Eye had selected for his corral, showed he had an eye to saving labor, when he started in his undertaking.

It was bordered on one side by a dense *motte* of chaparral timber, the edges of which had been made, with very little trouble into a fence, impervious to the heaviest rush; another side was formed by a deep barranca, which saved the trouble of a ditch, and only required to be stopped in one place to make escape impossible on that side; the third was closed with rails and cross sticks of the saw-buck pattern of fence; and the last was the entrance which had cost the most trouble of all, on account of the necessity of closing it at intervals and opening it again.

Altogether, the inclosure involved a space of four or five miles in length, by as many in breadth; but the fencing had not been carried for more than two miles in any one place, on account of the help given by nature in the operation.

It was so large that the herd of wild Mavericks did not comprehend they were shut in, when the chase was abandoned; but went to work, eating the rich grass inside the inclosure, or hunted round for water, as if they thought the bitterness of the day was past.

Old Cross-Eye and his young partner surveyed the herd as soon as the entrance had been made quite secure, and the younger man said to the elder:

"That's a fine lot, Jake. There's blood in them. Where do you suppose they have come from?"

Old Cross-Eye shook his head.

"Dunno. Suppose some of those big English companies they talk of as coming here. They never have good management; and if *their* cattle get out, they're the worst of all. They may talk as much as they want about the old long-horns; but they can't hold a candle to these imported fellows, when they get real wild. There's the weight in them, and they'll fight. By the by, Tom, the new company has begun to set up its posts, and they've got the bull water front of half the ranches in the county."

He spoke with an accent that showed he was not a Southerner born and bred, though his grammar was loose and his words those of an uneducated man. His companion, on the other hand, used good language, and there was that about his whole appearance that suggested a man who had come to Texas for some reason other than the poverty which drives so many to new lands.

When Old Cross-Eye spoke of the "new company," in almost the same terms that Deaf Smith had used in conversation with Judge Collingsworth, the face of the young man darkened, and he said:

"Jake, I tell you there's going to be trouble of the worst kind. I have not much to thank the men of this county for. They have not been very kind to you or me; but if the worst comes, and they want a helping hand, they may find that the Maverick-Hunters may prove able to do good service. Who told you of it? Where did you hear it?"

"Heard it last night at the shanty in Smithville," replied Jake. "I had to go there, ye know, to make things pleasant. These men can get up trouble for us, any time they've a mind to, if ye don't spend a little money with them; and it's always best to try the molasses for the flies, afore ye use vinegar. I took a bed there, and put the pony up, a purpose to keep friends, and heard the talk about it. It seems that the company's got a Englishman overseer, and that's what riles the boys. They've gone and took up a big grant from the land-office at San Antonio, and it covers nigh the half county. They say they're goin' to fence in a million acres at a lick, and that lies along the bank of the Blue Fork all the way."

"The Blue Fork!" echoed Tom. "Why, that runs by the Collingsworth range, and Deaf Smith's place, and Punch Burleson's run, and Lame Hog Ranch and—"

"Yes, and a hull lot more," broke in Old Cross-Eye, with a grim smile. "There's goin' to be trouble when the boys catch on to what's bein' done; and the worst of it is, they can't do nothin' to stop the company; for the critters has the law on their side. It's a darned good thing, Tom, that we come out here when we did. It ain't all pleasant, by any manner of means; but

if the Indians take a share of the beef when they feel like it, at least they don't take away the water from us and drive us into the poor-house, with a lawyer to help 'em."

"Indians!" said Tom with a shrug. "I don't see, for my part, why these Texans make such a fuss about them. We never had any trouble with them. They're men, the same as we are, and they can fight, too; but if you treat them right, they'll do the same by you. I'm sick of the talk about Indians. The men who talk the loudest are always the greatest thieves."

Old Cross-Eye shrugged his shoulders as he replied:

"Ay, ay; that's all very well, boy; but it won't do to trust 'em *too far*. Injuns is very sweet when everybody's good to 'em; but they have a queer way, if one man does 'em a wrong and they can't ketch him, of takin' the fust they find an' gettin' the spite out of him. Don't trust 'em too much."

Tom Field had not been in Texas long enough to outlive all the romance of his nature, and he had come West, like many others, with a very high idea of the character of the Indians, which had not as yet yielded to the sight of the lazy vagabonds of the posts, that give the average Western man his batred of the "red devils."

He seemed rather nettled, as he retorted:

"I'm willing to trust them, and that's the reason they have never injured me. I tell you, Jake, your notions about Indians are too much of the same stripe as those of the semi-savages that call themselves citizens of this country. If it came to a question of which should go to the wall, they or the Indians, I'll be hanged if I wouldn't be inclined to think the Indian better worth saving than the average frontiersman."

Old Cross-Eye smiled, as he said, soothingly: "There, there, don't git mad about it. Maybe ye're right; but, at the same time, *I wouldn't go to the next town and tell 'em so.*"

"No," said the young man, rather bitterly. "They would pitch on me, I suppose you mean, ten or a dozen at once, I don't want to be made a target of before my time; but I can keep up my thinking I suppose, and we can say what we like, out here."

Then, as if wanting a pretext to turn the talk from an irritating subject, he added:

"Did you see the judge, by the by?"

"Yes, and his darter, too."

"Which of them?"

The question was asked carelessly, but the old hunter squinted at his friend in a humorous way, as he said:

"Which on 'em d'ye want to hear about, boy?"

The color rushed into the face of the young man, in a way that there was no necessity for, as he answered:

"Which of them? What do you mean? I haven't any special interest in either of them, have I?"

"That's fun you to say," was the dry reply. "I seen one of 'em—the one they call Di—and she were very nearly gittin' into the rush, when I led the cattle out. I passed her, not more'n ten feet away, and she were a-puttin' the whip to that horse of hern like a good one. T'other one warn't out."

He was watching the face of the young man as he spoke, and saw that Field turned pale as he heard the news of the girl's peril.

"But she was not *hurt*, was she?" he asked.

Old Cross-Eye grinned, as he said:

"Reckon she war'n't; though there's no sayin'. I warn't in the sperrits to waste much time lookin' behind me when them angry devils was arter me like a hull cyclone a-comin'. If you'd ha' been there, it might ha' been different; but then *you* mightn't ha' got the cattle inter the corral, as I did. Come, boy, I'm as tired and sore as a man kin be, who's rid sixty or seventy miles, as hard as the pony kin leg it. I want some grub. What ha' ye got in the shanty?"

Tom Field, recalled to himself by the question, replied, as he mounted his pony:

"Come and see. Thank God, the land-sharks haven't driven away the game yet."

Old Cross-Eye glanced at his own pony, which had come so far and fast that day, and be remarked, in a tone of regret, as he mounted the animal:

"Poor pony! It's a shame not to let ye rest; but it ain't fur to the house, and we'll make it up to ye with a extra feed, when we git thar."

Then the two horsemen rode slowly down the line of the corral fence, and came at last to the edge of the *motte*, which formed the outside of the inclosure; in the midst of which a small opening appeared, like a lane, cut through the thicket—for the trees were intertwined with vines and thorny creepers, in a way that Texas can show as well as any part of the world.

It was by a judicious use of these thorns and creepers, that the edge of the *motte*, next to the corral, had been made impervious to the attacks of the cattle; the thinner portions of the thicket being woven together, around the trunks of the trees so as to make a wall.

The lane that led into the thicket from the other side of the *motte* was bordered in the same way, and had the appearance of having been thus arranged for a fortification.

The path ran to and fro in the midst of the

wood, and, after several windings, ended in a little opening, that contained a small house, built in the frail and hasty style that is common in the Mexican parts of Texas under the name of "jacals,"\* but not common in the western and thrifty portions of the State. Nevertheless, it was in a *jacal* that Old Cross Eye and his friend lived, and it answered all their purposes as well as any more pretentious building. It was built of thin saplings, woven together into a sort of basket work, and was cool in the intense heats of that part of the State, where the hot wind, from the immense plains of the Llano Estacado, makes the weather very sultry in the summer months.

There was very little clearing around the *jacal*, and a narrow path led from its front into the corral, a gate at the end showing that the exit and entrance was used at discretion.

Down this path the hunters led their horses, and turned them into the corral, where the animals fell to cropping the grass with an avidity that showed the racing had not hurt either of them.

Into the hut, then, the two men went, and Old Cross-Eye smiled, as he saw that a fire had been lighted in the center, and the haunch of a fawn of the black-tailed deer, that had been shot the day before, had been cut into slices and hung by the fire, ready to roast or broil.

"I got ready, as soon as I heard the horn," explained Tom. "I knew you would be hungry, and I cut up the venison so as to save trouble. It's just right in flavor."

Old Cross-Eye nodded and went to the fire at once, where he began to toast his slices of venison, with a face that showed how he appreciated the attention of the others to his comforts.

They both said very little till the repast was finished, when the old man observed, as he wiped his mouth on his sleeve:

"I tell ye what, Tom; it isn't everybody has as good vittles as we, after all. It ain't a rich place to be sure; but, if we kin get the herd we took to-day, branded, and half-way tame, we may have a little spare cash yet."

Tom looked out of the door; for the *jacal* had no window, and the smoke of the fire went through a hole in the roof.

His face had a sad look on it, as he said:

"Yes, there's money in it. I see all that; but what a set of savages the men are, and when one *does* meet a girl, who has a mind and a soul, she is sure to be too far above you in wealth to look at you, or, if she *does* look at you, then the people of the border call you an interloper, and try to pick quarrels with you, about nothing."

Old Cross-Eye nodded, as if he understood what the other was driving at.

"I know all that, boy; but you furgit that the rule in Texas is for every man to take keer of his own door-yard. If any of 'em pitches on ye, why don't ye fight 'em back?"

Tom sighed. He had the dreamy face, with delicate lines, that proclaims a man of fine tastes and poetical likings. There was a certain artistic quality in his dress, that aided in giving one this impression, besides the presence, in the hut, of several drawings and water-color sketches of the scenery of Texas, all the work of his hands.

"I hate to be brawling, all the time," he said. Old Cross Eye remarked:

"Ye've got to do it, in Texas."

#### CHAPTER V.

##### THE VISIT OF THE INDIANS.

THE home of the Maverick-Hunters—for Tom Field and Jake Mitchell were in partnership in the little hut by the head-waters of Blue Fork—was right up at the edge of the Indian territory, a very different place now to what it was when the Eastern Indians were first moved there.

There are several nations of the red-men who have acquired considerable civilization and wealth, and the raising of cattle is an industry, with the Cherokees and others, just as much as with their white neighbors.

When Old Cross-Eye and his partner went out after dinner to look at their herds and consult about getting them branded, they found that the cattle in the huge corral looked excited, and were running from side to side in a way that showed the presence of something to distract them, in spite of their fatigue after the long race they had already had.

As soon as Old Cross-Eye had set eyes on them, he said, decidedly:

"Injuns, Tom. They've been at the cattle, as sure as fate. I told ye it wouldn't do to trust 'em too much, boy. As long as we was poor, they didn't wanter distract us, but they seen we had a good haul, and they're comin' to take some of it."

Tom Field cast his eyes over the corral. There was no one in sight, but the tired cattle were running to and fro, in a manner indicative of suppressed excitement, which was only prevented from becoming a regular stampede by their exhaustion and the fact that they had no place to get out.

The disturbing place was evidently on the opposite side of the corral, where the barranca

extended, and the little herd of ponies that the hunters owned was coming toward the hut, as if to ask for protection from an enemy of some kind.

"It's Injuns, as sure as fate," asseverated Old Cross-Eye, as he noted their actions. "Never knew it to fail, when the beasts acts that way. Seems like they knowed that they belonged to white folks, and that Injuns weren't nateral to 'em."

Tom Field made an impatient motion of his head, as he retorted:

"You're always talking about the Indians, like the rest of the Texans, and neither of you know any more about them than you do about the moon. If there are any Indians in the barranca, I'm going to find who they are, and what they want."

He whistled for his pony, which he had trained to come at the call, expecting salt, and the pretty little animal trotted up to him and ran its nose under the arm of its master, in a way that showed the affectionate ties that existed between the two.

"Stay here, and I'll ride over and investigate," was the brief salutation of the young man to his elder, and he threw himself, bareback, on the pony, and cantered off to the place where the cattle were stamping and snorting in terror, at the edge of the deep chasm, called a barranca, which formed one of the boundaries of this natural corral.

As he advanced, the cattle rushed out of his path as if they had not yet got used to him, and the young man arrived at the edge of the chasm and looked down, to see, as Old Cross-Eye had predicted, several Indians at the bottom of the gully, trying to climb up the sides.

When they saw him they began to laugh and make all sorts of signals of amity to him, to which he responded by waving his hand and calling back to them, in the language of the Kiowas, to which they belonged:

"Come round the other way. This is not the way that we receive our guests. The house is open at all times to the friends who love us."

The three Indians who had been down in the gully looked as if they were ashamed to be caught where they were; but, they made the best of it, and called back:

"We were afraid that if we went the other way you would not be at home. We want meat, and it is far to our lodges."

"Come up this way then, and take what you want," the young man called out in his most kindly tones, "The house is always open to my red brothers."

He waited at the edge of the barranca till they got up to him, and helped the last man up by the hand, amid smiles and "Hows," of the most polite description. This young man had come to the West and taken up his abode at the edge of the Indian Territory on purpose to study the Indians, for whom he had conceived a most romantic admiration, and had devoted himself, ever since his arrival, to the language of men who were looked on, at the West, as little better than wild beasts.

Had he done this at any place where the Texan cowboys and ranchers could have seen him, he would probably have incurred their bitter hate and contempt, under the title of "squaw man," though he had never taken to himself any Indian wife whatever.

As it was, his isolation, at the edge of the State, saved him from this, and the only person who knew of his tastes was Old Cross-Eye.

The elder, being an ordinary prejudiced frontiersman of but little education, thought that his young friend was crazy on the subject of the red-men, and cherished a sort of uneasiness, all the time, lest the Indians should take to doing some piece of what he would call "deviltry," and break out into a carnival of murder and rapine.

Old Cross-Eye had come from Minnesota, where he remembered the great massacre, which had occurred during the civil war; and he had the idea, common to the West since that day, that all Indians were bad, and that extermination would be the best thing for the world, in their case.

Tom, who had the faith and enthusiasm of the young student of Catlin and the early writers, thought, on the contrary, that the prejudices of his friend were not founded on knowledge, and that it was impossible for men, who started with the conviction that all Indians were bad, to attain any knowledge of them.

Now, as he rode slowly toward the house, across the corral, the three men who followed him attracted a great deal of attention from the cattle, for a man on horseback is the regular herdsman in Texas, and when they see one on foot, it is, to them, a signal that an enemy is approaching. They began to stamp their feet and run after the three men on foot, and Tom had to ride to the front of the friends he had brought in, and protect them from the assaults of the very cattle he had driven in, exhausted, a short hour before.

The Indians took the matter very coolly, for they were accustomed to cattle, and kept near the horse till they had arrived within rushing

distance of the hut, when they made a break for the narrow lane, which they evidently knew by heart, and succeeded in getting in without being gored, though the angry cattle came ramping after them, to within a foot of the gate, when they appeared to be frightened at something and went back to their grass again.

Tom Field rode into the gate, and took his friends to the hut where Old Cross-Eye sat on the skull of an ox—the only kind of seat patronized in that primitive establishment—and nodded coldly as they came in, for he knew they had only come on a begging expedition.

The foremost Indian remarked to Tom in his own tongue:

"The man with the crooked eyes does not like us to come here. Tell him that the land was ours, before he came."

He spoke in a way that showed he meant it.

Tom translated the remark, with the addition:

"Civility costs nothing, Jake. Put your prejudice aside for once, if you can do such a thing."

Old Cross-Eye rose and shook hands with the Indians, all round, saying "How," to each of them, and the red-men reciprocated the civility, with a dignity that showed they resented the previous rudeness, for the Indians themselves are nothing if not hospitable.

The oldest Indian of the three was called Wild Cat, and he and Tom were old friends, as appeared the moment they sat down. Tom produced a pipe and tobacco, and offered it to the new-comers, with a grace that he had learned from the Indians themselves, after which it was passed from one to the other, and the party in the hut smoked silently for several minutes.

At last Tom said to Wild Cat:

"What do my brothers wish to-day?"

Wild Cat waved his hand, as he answered:

"We want nothing. If we did, we would take it. The land is ours, and the cattle would not be here if we did not allow it. Your people have driven away the buffalo, and we want some meat for our wives and children."

"How many do you want?" asked Tom, with a glance at Old Cross-Eye to see how he took the demand, if he understood it, which Tom doubted.

Wild Cat held up both hands.

"We are many, and the Washington father has not sent us the rations he promised. If the men from the South will let us take ten oxen, we will not come back for many days."

Tom spoke to Old Cross-Eye.

"They want ten oxen. What are we to do about it? My advice is to give it to them."

Old Cross-Eye grunted.

"Hem! I s'pose they've got to have it; but who's a-goin' to tell they're not comin' back in a week?"

Wild Cat betrayed no sign that he understood the speech, though, as a matter of fact, he and his friends all understood English. They never spoke it except as a matter of necessity, from pride in their own tongue, like most of the Indians of the Territory.

Tom Field hesitated. He was staggered at the demand of the Indians, himself, for, if they wanted ten head at first, they might come again and strip the ranchers of all they had.

"I think that we have no choice," he replied, as soon as he had collected his thoughts. "They can take it all, at any time, if they please, and we know it; while, if we treat them honestly and liberally, they may be our friends."

Old Cross-Eye shrugged his shoulders.

"You do the bargainin'. You know all about them, you say. They've got to have it, I s'pose. If we had a show, I'd rather fight for the cattle, but we hain't got any show at all. I wish we hadn't come here, sometimes."

Tom turned to Wild Cat, with the remark:

"You shall have what you want. When will you take them?"

Wild Cat arose.

"My white brother is a man who has a good heart to the red brother. He shall not be sorry for it, nor the man with the crooked eye either. We saw that you had taken a great stock of cattle, and we came to ask you for a share. You have given it to us, and we will help you with the rest. You are only two and we are many. We will come down to your corral in the morning and help you to brand the cattle. We will take our oxen then."

Then the Indian bowed his head with a dignity that a white king might have envied, and stalked out of the hut, followed by his friends, when Old Cross-Eye exclaimed, in a tone of smothered vexation:

"They're a comin' again; are they, with the hull tribe to help 'em. By gosh, I wish they'd stay away. You'll be the death of us both, with your huntin' arter Injuns. Tell ye they're all bad, every one of 'em. This is only the fust haul. They'll keep on till they've skinned us clean."

Tom made no answer, for he had risen to follow his friends, and saw them go out on the prairie through the path in the *motte*. Wild Cat led the way, and was followed by Man-That-Walks and Standing Fox.

The three were ragged fellows, in the semi-civilized dress that marks the Indian who lives

\* Pronounced "Harcals."

the bulls were determined to have a clear space, and they had it.

The ranchers were scattered like hares before wolves, and made for either side of the rush, their horses snorting with terror, and straining every nerve to flee.

The man in the red blanket alone kept the straight track in front of the herd, and dashed away from the *motte*, in the direction in which the cowboys had been most anxious that the cattle should not go, when they started to head them off.

For a short time it was not possible for any one to tell what was going on, for the dust, noise and confusion; but when the herd had passed on, and the Collingsworth people were outside the rush, their disappointment found vent in curses, loud and deep, at the man in the red blanket, who had decoyed away the herd by such a simple stratagem.

"It's Old Cross-Eye, the darned old skunk!" said Limpie revengefully. "He's death on Mavericks, and he must have been a-watchin' them, when we struck 'em fust. He's got 'em, sure enough; and I wish him joy of 'em. I'm darned if I want any more in mine."

The judge was the first to recover his equanimity; for he made light of the accident, saying:

"Well, gentlemen, they say that stolen goods never do anybody any good, and those Mavericks are an instance. We're well rid of them. Come on and finish the drive. They might have stampeded the rest of the stock."

So they gathered together their discomfited squadron, and went on at the business of the day. The form of the man in red had vanished in the cloud of dust made by the frantic cattle, and they could not tell what had become of him, or whether he had managed to keep ahead.

"If he don't," observed "Punch" Burleson, "I'd not give much fur his karkidge, when the bulls ketch him. They'll trample the life out of him."

And, to judge from the faces and words of the party, they seemed to think such a consummation desirable; for, if there was one thing that they hated, it was a successful Maverick-Hunter, who got his herds without paying anything for them in cash. To be sure, they were none of them above taking a Maverick when they found it straying around loose, and had been trying, that very day, to circumvent a herd that must have numbered several thousand head.

But, to be tricked out of them by one man, and left out in the cold, was a bitter pill to swallow; and it is probable that, if Old Cross-Eye had been in the midst of the party at that moment, he might have got into a quarrel with more than one of the men whom he had scattered so quickly.

The horsemen proceeded on their way slowly, and by the time the sun was about an hour above the western horizon, they had gathered the cattle, of all grades, together, near the huge branding corral, and were beginning the serious work of the day.

The corral was built with a wide, funnel-shaped entrance, into which the cattle were driven, with as little excitement as possible, till the leaders had been induced to enter the wedge-shaped passage that led to the corral, where they were to be kept till the branding began.

It was important to get them in before it grew dark; for the perils of a stampede are always at their greatest in the night.

The cattle had been there before, most of them, and knew what was coming, so they began to get agitated.

The cows, that had been running all the winter with their calves by their sides, were especially excited; for they knew that it was the little ones to whom the hot branding-iron was to be applied, and they ran from side to side, bellowing and trying to get out of the sloping inclosure that was closed by a line of yelling horsemen with their terrible whips cracking.

At last the leading bull of the herd made a dash for the line, trying to break through; and was met by a storm of blows, from which he fled in dismay, with a piece of flesh cut out of his muzzle, from which the blood flowed in a stream that would have sickened a Northerner.

His turn was the signal for the rest of the herd to break and flee for the corral, in fear of the deadly whips, and half an hour before the sun set the whole herd was in the corral, tearing from side to side, dashing against the tough rail-fence in a way that showed the wisdom displayed when it was built, with trunks of trees, a foot in diameter, for the rails, and posts set in the ground as much as six or seven feet deep to make the place cattle-proof.

There was the snorting, bellowing crowd of animals, dashing from side to side like wild things, yet Punch observed, as he wiped his brow:

"Hem! darned if they ain't gittin' too tame fur anything, nowadays. It's all very well to have this British stock; but they don't fight like the old 'uns—not fur stamps, they don't. Why, I've known darned often the time when it took two days to git the herd inter the corral, let alone the brandin', and here we are, all ready to

heat the irons. Let's git at it, boys, afore the moon rises. We'll have light fur a good hour yet."

The advice was taken, for the cowboys of the home ranch were already at work lighting the fire for the branding-irons. Within a half-hour the red light of the blaze was illuminating the bars of the corral and the savage faces of the bulls behind them, as they dashed to and fro, trying to find a way out. Then the branding gate was opened, and the struggling cattle forced toward it by men who sent their long gads into the flanks of those on the other side so as to start a rush to the narrow gate, with its alleyway just wide enough to admit one beast at a time. The fire was outside of this, and as the animals came out, one at a time, it was the business of the branders to thrust the iron into the flank of the calf or steer that had not already had the mystic letters of the Collingsworth mark imprinted on its tough hide.

The job was a long one, and required good light, therefore the fires were kept up at high blaze till the rising of the moon—two days past the full—gave them all they needed.

One by one, the animals were forced out by the alleyway and the operation of applying the iron was followed by an angry bellow, after which the indignant steer rushed out to the prairie and made the best of its way to the feeding-ground from which it had been driven that morning.

Of the ten or twelve thousand head, which Collingsworth owned; as far as he knew, about one fifth part required branding; for he had not executed the duty in the previous fall, and the calves had increased on his hands at a great rate.

And the job had to be done that night; while the neighbors, who had come to help, had to be sent off to the house, to be fed by details.

Miss Diana Collingsworth was the guide for the first detail; and, to see the way in which the young men of the party crowded around her, as they went off, one would have thought that the fate of a lady in Texas must be a very pleasant one, as far as the number of cavaliers was concerned.

By midnight, the branding was completed, and the last of the riders was wending his way homeward with his host to the hospitable shades of the log-house, where Collingsworth dispensed his corn-dodgers and "Old Rye" to the hungry and thirsty.

The two Collingsworth girls were used to the stir and bustle of round-up time, and did the honors of the house with an ease that was at variance with their real sentiments; for they had been brought up, before the war, at the city of Savannah, from whence the judge had emigrated, when the fate of the great Confederacy was settled against the wishes of the party to which he belonged.

They felt out of place in the wilds of the cattle ranges, and longed for a society more polished and civilized than the rude drovers and cowboys that composed the principal population of Satanta county; but, as it was no use pining, they had come to the conclusion to make the best of it, and had been recently comforted by the arrival of the first piano that had ever been seen in that part of Texas, on which they were wont to discourse, in a way that roused the envy of the marriageable men in the district, which included all who had not over twenty miles to ride, to get to dinner with the judge.

### CHAPTER III,

#### THE MAVERICK-HUNTERS.

THAT afternoon, while the Collingsworth party was rounding-up the stock of the judge's ranch, the man in the red blanket was fleeing from before the face of the herd of wild cattle, with a speed that showed he knew the danger of stopping.

He was mounted on a spotted pony, of the wild variety that used to be the favorite of the Indian chiefs for its beauty and fleetness, and the rider of this animal was equipped in a way that showed him to be a dependent on himself alone for his clothing and horse-furniture.

Except for the scarlet blanket, which was of the kind made in Mackinaw, and renowned through the West for its thickness and wearing capacity, his dress was of leather, trimmed in the old Indian and ranger style, with fringes of the same material.

He rode in a home-made saddle, the tree of which was formed by a crooked root of a natural tree, in one piece, covered with green hide, sewed on wet, so as to shrink in drying. There was not a strap or buckle about it; thongs of leather doing duty for the contrivances of the saddler's art, and the rude stirrups were made of wood, hollowed out of a single block. At his right wrist dangled, from a thong, a long whip, and he wore a knife at his belt; but was otherwise unarmed and lightly equipped.

His stature was small; his body thin and weazened; while the face, red and weather-beaten, seamed with wrinkles, and furnished with a thin, straggling beard, was made additionally unprepossessing from the fact that he squinted with both eyes, under the least excite-

ment, with an effect that was both ludicrous and ugly to see.

This was Jake Mitchell, of "Maverick Ranch," better known to the Texans of the neighborhood as "Old Cross-Eye," from the defect of his vision; but famed as the most successful hunter of wild cattle that had been seen in that part of the State.

He had come in there some five or six years before, when the county was first settled, and had not had enough money even to take up a claim for a range of a square league or so.

Had he done so, he would have been one of the aristocrats of the county, and entitled to mix with the rest on terms of equality; but, as it was, he came in under the United States Homestead law, and took up a section of a quarter of a mile square—a mere farm holding, at which the cattle-men turned up their noses; fenced in a corral in the middle of it, and took to hunting Mavericks, with such persistence that he had acquired a herd of several hundred head, and money enough to get up a new corral.

The only thing that kept Old Cross-Eye from getting into trouble with the other residents of the county, was the fact that his ranch or home-stead was such a long way off, at the very edge of the Indian Territory, that it was hoped he might yet be scalped by some of the rovers from the reservations, and in the meantime no one wanted to go out, that way.

Where he lived; how he lived; what was the secret of his immunity from the depredations of the thieving parties of young braves that occasionally stole out from the fostering care of the Government to lift ponies and cattle, were mysteries to the worthy people of Satanta county; but they knew he was always around when they did not want him, and picked up more stray, unbranded cattle, than any man in the county.

His light weight and good horse made him as swift and untiring as an Indian in his pursuit; yet he was never seen in company with anybody else; and the cowboys often wondered where he got the skill that enabled him to handle the herds he did, single-handed.

His face and figure were both well known at the station of the railroad, where the cattle were shipped for the East, and he always sold at low figures; yet carried away more money than most of the other ranchers, because he had no wages to pay to his men, as they had.

Now Old Cross-Eye was riding his pony, ahead of the herd of savage bulls, in a manner that showed he felt anxious for the future of his undertaking. He was all alone, and the herd numbered more than a thousand head, with the bulls in the preponderance, a sure sign that they had not been wild for more than one generation.

Really wild cattle, in Texas, are not found in herds, and the bulls are such fighters that they are very few in proportion to the cows.

The Mavericks behind Old Cross-Eye, except for their wildness, behaved the same as ordinary cattle on a range.

They herded together and stuck in a bunch, the bulls in advance.

They were thoroughly enraged at the sight of the red blanket, which he kept conspicuously displayed, but he knew that their rage would not last for very long under the influence of fatigue, and the daring little skeleton—for he was little more—began to rein in his swift pony, so as to cheat them into the belief that they were gaining on him, and encourage the pursuit.

It was a thing that had to be warily done, for the least stumble of the pony, if he let them come too close, would be certain death.

Old Cross-Eye knew this well enough, and kept his "beard on his shoulder" all the time, watching the herd behind him, leaving the pony to take care of itself, knowing well the sure-footedness of the spotted mustang.

The only attempt he made at guidance was when he occasionally took a pull at the bridle, to make the pace slower, and he only did that when he saw that the cattle were flagging.

The bulls in advance kept bellowing till they lost their breath, and then they ran on with their tongues hanging out, angry as ever, but rapidly getting blown.

The chase had lasted about an hour, and the cattle had gone over ten or twelve miles already.

When the Maverick-Hunter saw that they were inclined to give up the chase he slackened his pace, and the bulls made another run after him, as he waved the red blanket before them, with a taunting yell.

This rush lasted for another mile; then they slackened down again, and he found himself alone on the green prairie, near a *motte* of timber, for which the herd was making with the instinct of the wild creature when it is tired to seek cover.

The bulls had slackened their pace to a walk, and refused to be coaxed into another rush.

Then Old Cross-Eye drew out from under the blanket a brass bugle, of the kind used by cavalry soldiers, and blew a long blast thereon,

near a post or agency, and a Texan would have told you that they were lazy vagabonds, who would do nothing but drink and gamble, when they were not thieving and robbing.

Old Cross-Eye was of the Texan opinion, and hated them for coming; but the young man was still of the impression that Indians were men the same as the rest of us, and had resolved to treat them well till they gave him reason to alter his opinion.

He followed them to the end of the *motte* and saw there a whole party of mounted Indians, from the territory, waiting for their friends.

When Wild Cat saw them, he turned to Tom, saying:

"My brother sees. It is well that he was kind. We could have taken what we wanted."

#### CHAPTER VI. THE CATTLE COMPANY.

"COLONEL" CALLAHAN, in return for his services at the Collingsworth Ranch, had asked the judge to come to his own round-up, at the Lame Hog Ranch, the time for which was set three days after the first branding of the season.

Lame Hog Ranch had received its name from the ownership by Callahan when he first came to Texas, of a very large pig, which had been lamed by an accident. The pig had been converted into pork long before, but the name had stuck to the ranch, and the colonel let it take its course.

Colonel Callahan had made a great many invitations, and had determined "to do the thing up properly," as he said; for he was a man who had, what some of the neighbors had not—a farm of about thirty acres, on which he raised wheat and vegetables enough for the house, and did not depend, as many of the ranchers did, on "hog and hominy," all the year round.

The colonel's friends had gathered at the front of his log-house—for everybody in Texas lives in log houses on the ranches when they have nothing better, and there are not many who have, in the newer parts of the State such as Satanta county.

The Lame Hog Ranch was one of the finest properties in the county, and the colonel was not above saying at all times and places, that "the only thing the Lame Hog wanted was a lady to drive him," by which he meant to intimate in a delicate way that the owner of the ranch was in the matrimonial market.

He had not yet mustered the courage to say the decisive words to either of the judge's daughters, though the judge was apt to give broad hints that "daughters were hard to get rid of, nowadays, and any man was the better for a wife, if he was a rancher or a farmer."

But the judge did not bring his daughters with him, when he went to a neighbor's round-up, though he allowed them to attend his own. The party at the Lame Hog was exclusively for bachelors, and the whisky circulated freely, while the profanity was the more unadulterated, for that very cause.

The colonel had a fair-sized herd, as herds go in Texas, some ten thousand head, worth, as beef, about a hundred thousand dollars, at any time, had he wanted to realize the cash therefor.

Like most of the ranchers of that county, he had a range, nominally of a square league, but his cattle roamed over the wide prairie, that stretched, for many miles, round the claims of himself and his fellow ranchers.

The drive had proceeded some time, when the appearance of strangers in the neighborhood caused a stampede, and the animals ran wildly through a break in the lines, which caused a great deal of profanity before they could be got back in order.

The strangers turned out to be a party of surveyors, with their instruments, the glittering tubes of which had caused the fright, and they were accompanied by a number of men on horseback, who flaunted flags, and acted as if they did not care what they did, in the way of damage.

They staid on the ground as if they belonged there, and when the "colonel" requested them to take their flags away, till the round-up was over, the leader of the party, who was recognized as a well-known desperado, called Jack Tomlinson, replied in a swaggering way:

"See here, Callahan, we belong here, and you don't. That's about the size of it. If you want to get your old round-up finished, go ahead. We come from the Glasgow Cattle Company, and this land you're on is ours not yours at all. We're a-settin' up the boundaries, and don't you furgit it."

The cowboys of the rancheros had gathered together at the sight of the strangers, and had begun to look to their pistols, with the readiness of their class, under all circumstances of difficulty, to shoot, as the easiest solution of the trouble; but they saw that Tomlinson's party was as strong as their own, if not stronger, and that it contained several men known as "desperadoes"—that is to say, men who shoot quick, and seldom give any one the chance to get the drop on them.

When they noticed that these men kept their hands on their pistols, at the first symptoms of disturbance, the rancher cowboys concluded

that it might be as well to let the chiefs do the talking before they opened hostilities.

Judge Collingsworth was the first to speak to the strange leader in a tone of expostulation:

"Look here, Mr. Tomlinson, I don't understand what you mean. This land is the property of the *State*, and has been used as the common property of its citizens, ever since I have been in the country."

Tomlinson smiled, in the politely exasperating way that he affected, when he particularly desired to put the onus of the quarrel on the other man.

"I am very glad to bear you admit it to be the property of the *State*, judge, for the *State* has sold it to the company, and the company are to take possession at once. I merely wish to remark that it is no use to try and intimidate me, in the discharge of my duty. We are here, with the authority, in due form, to go ahead and survey and fence in our lands, and we are going to do it. If your men attempt to interfere with us, the blame will lie on you, and not on us. We have the law with us."

And the air with which the man spoke convinced the judge that he meant what he said; for Jack Tomlinson, with all his faults, had the reputation of being a man of his word, and it was so seldom that he had the law on his side, that, when he did, it was a feather in his cap, of which he would make use, if necessary, as the justification for unlimited homicides, under the plea of self-defense.

The ranchers were puzzled what to say or do. The party opposed to them was armed to the teeth, and evidently had come there, as Tomlinson had said, to do as they pleased. To create a fight at that time was to destroy the round-up and have a good deal of trouble, to say nothing of the bloodshed that was sure to ensue.

"Punch" Burleson, usually the most irascible of the party, but always sensitive if a friend was in any danger of loss, put in his efforts to conciliate the reckless desperado, who was carrying matters with such a high hand.

"See here, Tomlinson," he said, pleadingly, "I allers thought you was too much of a gentleman to come and spoil a man's round-up, like this. If you've got any surveyin' to do, why can't you keep it till arter the round-up time's over. We don't want to go ag'in' the law, but here's a lot of cattle all ready to brand, and this muss will scatter them all over the county. Can't ye let the thing go for a day or two? I s'pose the claim ain't so large that it'll take ye a hull year to fence it in."

Tomlinson turned to the other with his wickedest smile, as he retorted:

"Mr. Burleson, when I was in trouble, the last time the grand jury sat at Satanstown, I'm told you said that the county would be well off if a dozen like me were shot or hung. Very well, sir; I have never taken any notice of that remark because the proper time had not come. Now, I'm on my own stamping ground, and I propose to do it, if you git too obstropolous."

Tomlinson was a man who had had some education, and generally used pretty good language; but the long habit of associating with ruffians had got him in a way of dropping grammar and everything else when he got excited and dangerous, and now he looked as if he was spoiling for a fight.

"Punch" colored deeply, for his own temper was high, but he contained himself so far as to say:

"I ain't the man to go back on what I've said; and no one knows that better than you, Jack Tomlinson. If you want a muss, you kin have it, as quick as you please. But that ain't what you come here fur; is it?"

"No, sir, I came for no such thing," replied the other, with his hand still at his hip. "I came, as I said, to protect this surveying party, and I have the warrant as constable, in my pocket. Before you men get into trouble, be sure you have the right to fight. Look at that."

As he spoke, he showed, with one hand, the parchment that they all recognized as the *State* property, and the sight produced an instant revulsion on the minds of the ranchers.

Like all Texans, since the war, they had a great deal of pride in the law-obeying spirit of the men who were its citizens, and were nervously sensitive to the reproach of being called "lawless."

Callahan himself, as soon as he saw the appointment, drew back, with the remark:

"That settles it, gentlemen. Mr. Tomlinson has a right to go ahead, and we shall have to go to Austin, to see about this. In the mean time, Tomlinson, what am I going to do about this round-up?"

The moment the desperado had the assurance, from the words of the rancher, that the idea of armed resistance was over, his politeness returned, and he said, with more kindly feeling than he had yet shown:

"As long as you don't dispute our right to be here, colonel, we don't want to be hogs. I'll see the men don't git in your way more than we kin help, and you kin go on with your round-up. Come, boys, git together, and out of the way of the cattle."

So saying, he led his party off, out of the way of the line of cowboys, and the round-up proceeded in the usual style. Some of the strangers even helped, at a word from Tomlinson, and the driving of the cattle into the branding corral was executed, with a speed that was very satisfactory.

The cowboys of the ranchers were so intent on their own work, that they forgot to look at what the strangers were doing, till they had the cattle safe in the corral.

When the work was over, they went back toward the log house to get dinner, and found, on the way there, a number of posts, set as if to mark the line of a fence.

At present they were only set up at long intervals, and the line stretched across the water front of the Lame Hog Ranch, where it abutted on the banks of the Blue Fork river, which supplied the cattle of all the county with water.

Even this caused them no uneasiness at first, for the posts were not set up firmly, as if they were not intended for the erection of a strong fence, and they were at such long distances apart, that the rancher most immediately interested in the matter thought he would have time to go to Austin and try to get the grant modified in some way, before the harm done should be serious.

The dinner over, the ranchers returned to the branding corral, and set to work at their task, letting the cattle escape, as fast as branded, to the open prairie, where they had been accustomed to roam.

The task was over at sunset, and then the whole assembly broke up, with the promise to meet, in three days more, at "Punch" Burleson's ranch, to help him in his annual branding.

The party of strangers had vanished somewhere; the way was unobstructed, and Punch Burleson, with his men, rode rapidly home to the Screw-worm Ranch, with the intention of getting there in time for supper, which would be ready when they arrived.

It was a ten-mile ride, and they executed it at a canter, for horses are cheap in Texas, and no one thinks of saving them, any more than an Indian would.

The sun had set when they started, but they were not waiting for the moon, which would not rise till ten o'clock, that night. The way was a familiar one, and they were talking and laughing as they rode, till they arrived at the edge of the grant on which the Screw-Worm Ranch was situated.

Then, all of a sudden, without any warning, "Punch" went over his horse's head, followed by the whole party of cowboys as fast as they came to a line on the ground, which they all did, in the space of about three seconds, riding rapidly as they were.

A loud explosion of oaths and cries of pain was the immediate effect of this sudden tumble, and all the men got up, to investigate what had happened.

Punch had sprained his wrist; one of the cowboys was stunned by falling on his head, and the whole party was the worse for the accident.

But what had caused it?

A tremendous oath from one of the cowboys told the story at once, as he examined the place where they had fallen.

"Boys," he shouted, "it's a barb wire fence, by the *Hokry*! The hosses is all cut to thunder!"

His words produced an immediate rush to the place, when they found he had told the truth. A strong fence of posts, and the sharp, barbed wire that will stop anything, had been stretched across the path. It was invisible in the dark, and the horses were cut badly, as the cowboy had said.

#### CHAPTER VII. THE BARBED WIRE.

To picture the exasperation of the men who had thus been injured and had their animals lamed and gashed by the cruel barbs of the wire-fence, is needless.

Their ponies were hurt so seriously that one of them could not stand upon its feet, and the others had great, gaping wounds in their chests and flanks, while they were all frightened at the sudden stoppage and the smart of the gashes.

There were five men in the party, including Punch, and the first thing that they thought of was to destroy the fence that had caused the mischief.

"The darned skunks!" said Punch, savagely; "I'll teach 'em to come to Texas with their darned wires, a-trippin' up honest men goin' home of nights. Rip the darned fence to pieces, boys, and make a fire of the posts. I'll be even with the company, some way."

But it was easier to say "rip the fence to pieces" than to do it. They had nothing with them to cut the wires, and when they started to break the thing in the dark, the ugly barbs stuck into their fingers; the strength of the wires defied them, except at great sacrifice of flesh, and the best they could do was to open a way for themselves into their own ranch, from which they were barred out.

Bowie-knives were useless on the wire, and the only way they succeeded in breaking any portion of the tough fence was by pulling up a

post and twisting the wires around it till they dragged out another post. To snap the tough iron was a task beyond their efforts, without something for the purpose fitter than nature's weapons.

They got down a piece of fence large enough to lead the horses through, and got across the line; but as they were talking together about it, they heard the tramp of horses at a gallop, and down came a party of men, nearly twenty in number, who shouted:

"Who in blazes is that? What are ye doin' to our fence?"

"What in blazes is your darned fence doin' on my line?" yelled Punch Burleson, furiously, recognizing the voice of Tomlinson. "You've jamed our hosses, and nigh killed us all; and, by Jiminy! I'll tear yer darned fence all to smash in the mornin'!"

Tomlinson laughed in a taunting way.

"Oho! so ye got a histe, did ye, Punch? I told ye ye'd have cause to remember what ye said about me afore the grand jury. I got off in spite of ye then, and now, if ye try any of yer darned tricks on me, I'll settle yer hash this very night. Git on the darned galoots, boys! Climb 'em, I say!"

With that, without more ado, the men who had come up in the dark opened a vigorous fusilade on the party of Punch Burleson, and the cracking of pistols, for a few moments, was as rapid as if a general engagement was going on.

The odds of numbers were too great to be overcome by poor Punch, and the result was that, in less than two minutes, his party was routed and fled to the log house of the ranch, expecting to be followed, and leaving one of their number on the ground, by the fence of contention, stone-dead.

The assailants had not escaped scot free either, for there was more than one groaning, as he sat in his saddle, but the damage done was disproportionate to that of the opposite party, and one of the desperadoes called out to the rest:

"Let's go in and finish 'em, boys. It'll be the cheapest in the end."

The reckless scoundrels were actually starting off to execute their threat of extermination, when the voice of Tomlinson checked them with the advice:

"Better hold yer hosses, boys. The law's on our side now, as far as we've gone; but it won't be if we go *thar* to clean 'em out. Git to work and set this fence straight. The darned galoots has torn up nigh a hull section."

And the men, with a discipline that showed how they felt in awe of the renowned Tomlinson, obeyed his orders, and set up the panel of fence that had been pulled down, with a skill and rapidity that was accounted for by the fact that they were provided with plenty of tools for the purpose, and were engaged to execute the work.

The post that had been torn up was replaced, and set stronger than before; the wires were looked to, and found not to be injured, so that they would still hold cattle; and then the body of night-riders proceeded on their route, to inspect the lines of fence that had been set up, that very day, by half a dozen parties, working simultaneously.

There was no fear of their running on the wires in the dark, for they knew their location to a foot, and carried dark lanterns besides.

They rode along the line, for mile after mile, and when they got to the end of it, Tomlinson remarked:

"If it hadn't been fur that round-up to-day, we'd ha' had the hull county fenced in at onc'; but, as it is, we'll get the work through to-morrow. Quite a new thing for us boys to be playin' officers of the law; ain't it?"

The remark brought a laugh, for most of the men in the party belonged to the desperado class, which has always been numerous in Texas, and the way of their previous life had given them a taste for fighting that promised to be a good thing for the success of their mission of intimidation in Satanta county. The idea of engaging them for constables was a brilliant one, as the regular officers of the law in the county, being friends of the neighbors, and sympathizing with them, would not have been reliable for the service on which these men were now engaged.

It required men who were at war with society to take the stand they did, and to pay off their old spites against everybody who had ever offended them, under the cover of the law.

All that night they patrolled the line of the fence, and, in the morning, found that Punch Burleson was not the only man who had come to grief with his party over the invisible wires, in the dark.

Opposite to Deaf Smith's ranch they found a place where the blood on the ground showed that a serious accident had happened, and the body of a pony, lying on the ground with a gash across its throat where the sharp barbs had actually cut the jugular vein, called forth the remark from one of the men as he surveyed the body:

"Geeroosalem! Won't the beggars swear when they find we've been all over? But, I

tell ye what it is, boys; it's darned rough of the company not to give them notice."

It was the grudging admission of a man who had not quite outlived his conscience; for the destruction wrought seemed so wanton and causeless, that even the desperado who saw it felt some compunction.

Tomlinson turned on him savagely, to say:

"You, Plug Walcot, shut up your head! What sort of darned fools would we have b'en, to give 'em notice? We've got all we kin do to hold the lines, as it is; and if we'd ha' had to guard it, while we were a-buildin' of it, too, we'd never ha' got it done in the world. I'm runnin' this thing now, and I don't want none of yer chicken-hearts here. If ye're afeerd to go on, say so, and that's lots ready to take yer place. The company pays better'n any one you ever worked fur; and it ain't nothen to what it were, when you was in hidin' from the sheriff, for that hoss affair in the other caounty."

Plug Walcot shut up at once, for the chief had hit him on a tender spot. Horse-stealing in Texas is a grave matter—far graver than homicide, and Tomlinson was the only one who knew that Plug had been "up for it" at any time. The country in which the offense was committed was many hundred miles away from Satanta, and Plug had come there hoping not to be recognized; but the words of Tomlinson convinced him that he was wrong in his hopes.

"I didn't mean nothen," he said deprecatingly.

Tomlinson favored him with a scornful sneer.

"Ye never do. Ye ain't the kind that means nothen. Ye're a kind of a wooden man, I think. Git on, boys. The overseer's comin' to the ranch-house to-day."

The party rode on in the early light of the morning, toward the new ranch-house that had been built by the banks of the Blue Fork in a spot where the beauties of nature would have seemed enough to make man forget that his neighbor had anything to be robbed of when plenty was scattered around for all.

The ranchers had seen it going up, and had hoped that some rich and pleasant neighbor was coming to improve the county and make his hospitality known throughout Texas.

They had never suspected a land-shark, who was to make everybody wish that he had never been heard of.

The house was built of logs, but not in the old way, with a single room, or two at the most, and the whole a mere abiding place for wet days.

This log house had been constructed after the design of an eminent Eastern architect, who had seen in the idea infinite capabilities of ornament and picturesque quaintness.

It had two stories, with gables innumerable; oriel windows thrown out of the top; glass casements, brick chimneys, rustic verandas and porches on all sides, and, altogether, was as handsome a thing as need be desired in a country where logs were cheap for the cutting, till the woods were cleared away.

The party of fence-guards came in sight of the house at about half an hour after sunrise, and the curls of smoke from the chimney proclaimed that tenants had come.

"That's the boss," said Tomlinson, as he spurred his pony forward. "They said he'd come to-day, and he's ariv. He need be, too; for I reckon that's going to be trouble, boys."

When they arrived in front of the house they saw on the front porch, smoking a cigar, a tall man with a brown beard, who nodded to them in a distant, haughty way, very unlike the frank courtesy of Texans when strangers come in sight.

This man was handsome enough, as far as features and frame went. He was tall and stoutly built, with the straight nose and clear blue eyes that show good health and birth—as far as ancestry goes.

That he was an Englishman no one could doubt who saw his dress, for he wore the traditional tweed shooting-jacket and Scotch cap, that are the mark of the traveling Englishman all the world over.

But, with all his handsome face, there was a hard, selfish expression in the lines of the mouth, a glitter in the eyes that told of a savage temper, and vicious disposition.

And the face did not bely him either; for the Honorable George Berkeley was one of the kind of men that go by the name of "black sheep" in England where they are plentiful.

The younger son of an earl, with an elder brother, who had sufficient family to make it a sure thing that the Honorable George would never inherit the title, young Berkeley had started in life with the three avenues of distinction open to the British aristocracy before him, but with a taste for none of them. He might have gone into the church, and been a bishop in due time, with an easy lazy life; but, to do that, he would have had to keep his name unspotted from the various pleasures that young men are wont to indulge in. He might have gone into the army, and he did try it for a time, long enough to get into debt, to an extent that frightened his respected papa, the earl, to the

verge of apoplexy. But the earl would not pay his debts, and gave his son the sensible advice to "go to America."

The advice was not taken at the time, for Berkeley had discovered that there was some use in being the son of an earl, even if the title was several lives off. He had gone on the turf, had luck in his first ventures, and had run a wild race with the Jews and money-lenders till England grew too hot to hold him; when he came to America, on his own account, and found the world of snobbery, in New York city, as open to him as it is to every English scion of the nobility that comes there.

There he had fallen in with the promoter of the Glasgow Cattle Company, who had induced a number of English tradesmen to invest money in the idea of tremendous tracts of land in the Western States, at a dollar and a quarter an acre.

The profits of cattle-raising, undoubtedly large, had been magnified to the utmost by this promoter; and Berkeley had recognized in him an old crony on the turf, called Sharpe, who well deserved his name. Sharpe had suggested to him that, if he wanted something to do, he could not find a better chance than the position of overseer to the new cattle range, in Texas; and the young man, who had run the whole course of excitement, till he had become weary of civilized life, had jumped at the offer.

The salary was large, for companies always pay big salaries, when the promoters have the care of the cash, and the stockholders are on the other side of the sea. The profits would undoubtedly be enormous, if the capital to inclose the land and get the cattle was forthcoming, and that was the care of the promoter. The duty of Berkeley was to be the general enforcer of the ruthless policy demanded by the situation.

For this he was eminently fitted, for he had not lived a fast life in England without learning to do a good many things that would stand him in good stead in Texas.

He was a fighter with his fists, sword, sticks, and even knife, having learned that "for a fly," as he said, when he was in New York, from a fencing-master. He could shoot as well as most Texans with a pistol, and with a shot-gun could take birds on the wing in a style that astonished the cowboys.

He had a frank manner when he wished, and could be very dignified, thanks to a tall figure and early education. He had a knowledge of the world that kept him from offending the prejudices of the rougher portion of the inhabitants, and he had the unflinching determination that was necessary in the position he was placed in.

Now, as he stood in the porch of the log palace that went by the name of Berkeley Castle, he was the picture of the power of a name, to make a bad man respected.

Even Tomlinson bowed to him, with the air of a man who knows he has met his master, and the careless nod which Berkeley gave, expressed the thought in the mind of the Englishman:

"Confounded cad, but I've got to be civil to him."

"Well, Tomlinson," he asked, as the other rode up, "what did you do last night? Anybody trespassing?"

"No, sir," replied Tomlinson. "That is, there were two parties got on the fence in the dark, but they didn't do it on purpose, and they got the worst of it, you kin bet."

Berkeley gave a short laugh.

"Hem! Confound 'em! I should say so. It's a beastly thing to run into in the dark. Any horses hurt?"

"Reckon so, sir. There was a lot of blood in one place, and at another they tried to bluff us off."

"Bluff you off? Oh, I understand what you mean—bounce—eh? Well, what did you do?"

Tomlinson put his hand down on his hip with a wink, and Berkeley asked quickly:

"Anybody hurt? You know it won't do to ride over these fellows rough-shod, till we've got the men to back us."

"Can't help that, sir. We had a difficulty with them, and there was a man shot, in Punch Burleson's gang."

"Ah, poor beggar!" was all Berkeley said, coldly.

## CHAPTER VIII.

### THE SISTERS.

BUT Deaf Smith and Punch Burleson were not the only persons who had come to grief, that night, from the barbed wire fence, so treacherously placed there.

The ranchers and rangers of Satanta county extended along the river front of Blue Fork; and the homeward way of all the parties that went from the Lame Hog round-up, crossed the line of this diabolical fence, that had been partly raised during the previous day, though no one had known it, and was completed, that day during the round-up by taking in the river front.

The last party to leave the ranch of the "colonel" was Judge Collingsworth; and the

judge was an old man, who was not able to stand the fall, like the others.

He was riding hard, to get home early, when his pony stumbled against the wire fence and threw him over its head, cutting a deep gash in the poor animal's chest, at the same time that it knocked the old man senseless.

His men picked him up as soon as they had recovered from the angry consternation into which the discovery of the fence had thrown them, and managed to get him home to his daughters.

There was sorrow and grief in the Collingsworth homestead that night, but there was not the angry determination on revenge displayed by the bachelor members of the county society; for the girls were too much frightened and grieved to know what to think.

They had heard that the new log palace, which the cattle company had erected, was to be the finest thing of the kind ever seen; and that the man who had been engaged as overseer was a "real English nobleman," by which they understood a gorgeous creature, an earl or duke or something of the sort—who would drop his "h's" in the style that some Americans think inevitable in England, and end in making some Texan girl a duchess or countess, or something of the sort; for on this the ideas of the young ladies were hazy, but rosy-tinted.

The sudden arrival of their father, after such a severe accident, from the machinations of this very English lord, was a shock to all the ideas that they had formed, and the fact that they had no male relative in the house, and no one to depend on but the illiterate cowboys, was an additional blow to the unfortunate girls, left in doubt as to whether their father was not fatally injured.

The nearest doctor was at Satanstown, the county seat, twenty miles off; and, as the judge did not recover his senses after he came home, one of the men was sent off at a gallop to fetch him while the girls hung over the couch on which the old man had been laid, pending the coming of the doctor.

Diana, usually the most resolute of the two, was on this occasion the one who broke down most completely, while the gentler Helen bore up the best, and did what could be done, around the couch, to cool the sufferer's head, with an idea that the trouble was there.

The fact was, that the judge had received a concussion of the brain, and the measures adopted by Helen were the only ones the best doctor could have adopted in the case.

The old man had gone into a muttering delirium, and lay on the bed, moving his head from side to side, in a way that showed the pain he felt there, while the visions that passed through his brain were of round-ups and the ordinary incidents of ranch life.

It was while in this condition, that a gentle tap was heard at the door, and when Helen went there to see what was the matter, she found one of the cowboys who rejoiced in the rich name of "Shorty," from his brief stature, waiting outside.

"Please, miss," he said, with the respect shown by Texans to a white woman, under all circumstances, "there's a gentleman wants to see the judge, says he's a doctor. It's the gentleman as was byar, when the fall round up was held, miss; name of Field, miss."

A faint flickering color came into the face of the young girl—a very pretty face by the by—when she heard the name.

Tom Field the year before had been at her father's round-up when he was fresh from the East, in apprenticeship to the cattle trade. He had attracted attention from the fact that he was the only man of education ever seen in Satanta county, save her father; and the acquaintance might have been one of serious results, had it not been found out that the young man had no money.

Money is as potent in Texas as anywhere else; and the man who would be respected even as a cowboy, if it was thought he had money to invest, was scorned when it appeared that he had none.

He had been much liked at first, but had been regarded as not possessing the necessary pluck for a Texan, when it was found that he declined to be drawn into a quarrel by any of the numerous ranchers of the neighborhood, who were suitors for the hand of Miss Helen, and resented the fact of a "mere cowboy" presuming to be accomplished and agreeable, when he had not a penny in the world to bless himself with.

Punch Burleson had tried to quarrel with him in more than one way; Deaf Smith had called him a "darned lunthead;" the "colonel" had given him to understand that "men from the East were not welcome in Texas, unless they kept their places," and the result had been that the handsome and inoffensive young man, who had been hired to work at the Collingsworth Ranch, had suddenly disappeared from the country, "scared out," as every one thought.

And now he had come back to the ranch, at the very time when he was most needed, with the news that he was "a doctor."

Helen had been the only one to whom he had confided anything of his past life when he had

been there before, and she knew that he had studied the art of medicine, and had graduated from some Eastern college, when some misfortune to which he would not revert, had sent him to the West, with no means to establish a practice anywhere, and had forced him into the occupation of a cowboy.

The girl hesitated for a moment, and then said to Shorty:

"I will see the gentleman, James. Tell him I will be down in a minute."

Shorty, whose full name was James Benton, retired, and Helen whispered to Diana:

"Mr. Field has come. He is a doctor. Shall we call him in? He may save father's life."

She had a singular air of doubt about her, as if she feared her sister's answer, and it was with reason; for Diana frowned as she retorted:

"I don't believe he is a doctor at all. If he comes in, it is only to spy. I should think you had had enough of him, Helen. A coward like him is no use at any time. If he comes, I leave the room."

Helen, usually the gentle and timid one, set her lips together with an expression of resolution, not common with her, as she answered:

"I take the responsibility. I know more of him than you do. You are prejudiced. Suppose that father dies before the other doctor comes; how should we ever forgive ourselves for letting a chance go of saving him? I am going to call him in."

Diana Collingsworth tossed her head. Even in the extremity of her fear and grief for her father, the prejudices that had been implanted in her by early education made her obstinate, and she answered:

"As you please. I suppose the man can do something; but as soon as the other doctor comes, I shall insist on his dismissal and payment. Father would never forgive us, if he knew that we had let that man into the house. How has he dared to come here, anyway?"

But Helen had not heard the last words; for she had already left the room, and was on her way to the parlor below, where the young stranger from the distant ranch of the Maverick-Hunters was waiting for her, and as soon as she saw her, his face flushed with pleasure, as he said:

"This is indeed kind, Miss Collingsworth. I heard of the accident, and ventured to come over, for I knew that Dr. Horsford was away, at the medical convention at Austin, and would not be available."

Helen, now that she was in the parlor, was a different woman from her who had been his defender in the sick-chamber.

She, too, had been brought up in the extreme Southern ideas about dueling: and when the former cowboy, whom every one had known to be a gentleman by education, had refused to take up the challenges which had been showered on him by his rivals, a year before, she had had a severe struggle with herself, from the fact that he had already secured a hold on her heart by his grace and refinement, and the shock to her of finding him, as she supposed, a coward, was all the more severe.

It was in a very haughty tone, that she answered:

"My sister, sir, is decidedly opposed to my allowing you to have anything to do with my poor father; but I should not be justified in refusing any help, however distasteful at ordinary times. If you will try what you can do, you shall be well paid for your professional services."

She looked at him slyly, from out the corner of her eye, as she spoke, for she had not seen him for a year, and was interested in his looks.

When he had first come to the ranch, he had been a tall, thin young fellow, with a pale face and languid air, who had not been much of a horseman, and knew nothing of shooting in the cowboy style.

He had been the butt of the rougher elements of the ranch, and had taken it all very good-naturedly from indisposition to quarrel, and a temperament sensitive and artistic to a degree that had rendered him an object of good-humored contempt to the healthy, stout fellows who made the working force of the ranch. He had been a favorite with the cowboys, strange to say, in spite of his inoffensive ways, on account of his uniform good-nature and the willingness he had always shown to be general letter-writer for the crowd, when they wanted to send news to their people of their welfare.

It was the ranchers who had set on him so viciously, when they found that he was "making eyes at the judge's daughter," and they who had driven him out of society into the wilderness, as a Maverick-Hunter.

Helen Collingsworth saw, in the face and figure of the young man before her, a great change for the better. He had gone away, pale and thin; he had come back strong and active, with the flush of health on his cheek.

He smiled, as she spoke to him so haughtily, and answered her, with rather ceremonious politeness:

"Thank you. I did not come here to start a practice, I assure you. The case belongs to Dr. Horsford. There is an etiquette in the medical profession that laymen do not understand.

I am only anxious to try if I can do any good. The case, as far as I have heard is one of a severe fall. Is the patient sensible?"

Helen shook her head sadly. The medical tone of the words he used restored her self-composure, for it drew her away from the past.

"No," she answered. "He has been delirious ever since, and lies there muttering."

"Then the quicker I go up, the better," said Field, briskly. "I can do nothing till I have seen the patient. By the by, if your sister objects to my going in, tell her, if you please, that Dr. Horsford knows me, and that I am only attending this case till he comes back from the convention."

Then, without waiting for her, he rose and went toward the door, as if to hurry her, and she followed him with a readiness that she could hardly explain to herself, but which was really the effect of her confidence in the calm, quiet young man before her.

She preceded him to the room, where Diana sat by the bedside, and, as soon as they entered, the high-spirited Di rose up, and was about to sweep from the chamber, as if the presence of the young man was pollution, when Helen said:

"Don't go, Di. Dr. Horsford sent this gentleman."

#### CHAPTER IX.

##### DEAF SMITH'S VISIT.

WHEN Tom Field rode away from the Collingsworth Ranch, he left the judge awake, but very weak and stupid, with a splitting headache.

The young ladies were reassured, when they heard that the injury would probably pass off in a few days, during which the old man was to be kept in a dark room, and as quiet as possible.

Diana, who had been so haughty at first, was actually induced to give the young doctor a gracious word at parting.

He remained by the bedside all night, and only left the place when the dawn and the awakening of the patient had come simultaneously, with such symptoms of recovery, that his departure was prudent.

As he prepared to ride away from the ranch, Helen Collingsworth asked him:

"When will you be back, doctor?"

She used the professional word advisedly, and he understood her, for he said:

"I think there will be no need, if you will do as I have told you. It is merely a case of shock, which will wear off in a few days. He must be kept from excitement as much as possible. It is lucky I happened to be down here last night."

"How did it happen?" asked Helen, before she thought of what she was saying. Then she added, coloring deeply: "I beg your pardon. I had no right to ask. But I thought that you had—"

"That I had left the State, you mean," he answered, with a smile. "That is a thing, Miss Collingsworth, that you will not see. You have an idea that I am easily driven off; but you will find that I have more perseverance than many people think. Good-morning. I will come again at sundown."

Then he rode away in the gray light of the early dawn, and left Helen at the front door of the house, thinking what he could mean.

For they had a front door, and more than that, at the Collingsworth Ranch. The house was the finest in the county, before the coming of the cattle company, and the judge had sunk a good portion of the capital with which he had come to Texas, in making a place that would remind him a little of the home he had had in Georgia, before the war, when he was a planter, and the Cherokee roses flourished round the front porch at Christmas.

The house had two stories, a broad veranda round it, with a garden in front, where the young ladies cultivated all sorts of flowers, that were found nowhere else in Satanta county, because no one else took the trouble to raise them.

As the young lady stood there at the door, watching the departing horseman, she became aware that another man was coming from the direction of Deaf Smith's ranch, and recognized in him the redoubtable Smith himself.

Involuntarily the girl began to tremble, for she had last seen the two together when the young man from the East had been outrageously insulted by Smith, who had hectored over him and sent him off, with the sentiment of the company that he was a poltroon.

Was the scene to be repeated now? When this man, whom she could not help liking for his skill and knowledge, had almost succeeded in obliterating the past from her mind, was she again to witness him show the white feather?

It seemed so; for, as soon as Deaf Smith saw the other coming from the ranch, he drew up his horse across the path and waited for the young doctor, with an air that Helen knew well. It was the regular swagger of the Texas "bad man" who is spoiling for a fight.

Deaf Smith was a stout, powerful fellow, who had the reputation of being the best rough-and-

tumble fighter in the county, and who prided himself on the fact that no man had ever yet succeeded in getting "his word" from him—that is, induced him to call "enough" when he found his eyes in danger of being torn out of his head.

He was near enough to the ranch for everything that he said to be heard, but he did not see the girl; for, as soon as she saw him, she whisked into the house and peeped out from behind the shield of the door.

She heard Deaf Smith call out, as soon as the other was close enough to be spoken to:

"So ye're hyar again, air ye? Ye con arned junkhead, what the blazes air ye doin' in Texas, anyway? Ye ain't got the pluck of a chicken, leave alone a white man. Say! d'ye hear m'?"

Then Helen peeped out more openly, and saw that Field had stopped his horse and was eying the other in a way that showed his apprehension.

The girl grew positively sick with shame as she saw it, for she thought that he was about to show the white feather again. But she listened and heard him say, with a slow emphasis that showed he was trying to make the deaf man understand him:

"Mr. Smith, I don't want any difficulty with you. I only desire to live in peace with my neighbors."

Whether Deaf Smith understood him or not is not material to the question.

If he did, the words did not soften him a bit; for he rode close up to the other, and bawled out:

"You're a coward! D'ye hear me? A coward! D'ye want any more, ye d'arned Yankee skunk! I'll slap ye in the jaw, if ye want it."

Then Helen uttered a sort of moan to herself, as she saw the young man suddenly set spurs to his horse and gallop off, while Deaf Smith, with a taunting laugh, took out his pistol and sent a bullet after the flying horseman, that went singing over his head and cut the top of his hat in the operation.

"To think," she murmured as she shut the door, "he should be so handsome and such a gentleman, and yet a coward. It is incredible."

As for Deaf Smith, he put up his pistol, and came riding to the house; when she saw that his face was marked with an ugly gash, as if he had been in a fight over night, and had got the worst of it.

The sight of this man, who had just perpetrated such a brutal and causeless insult on one who had never offended him in any way, caused her to shudder slightly, for, with all her Southern prejudices against cowardice, as she thought of the patience under insult displayed by Field, she had no love for the bully who had picked the quarrel with him.

So she shut the door and went up-stairs, where she found Diana at the window, her face flushed with anger, showing that she had heard the conversation as well as Helen.

The judge was sleeping, and Diana beckoned her sister out of the room, to whisper:

"Isn't it infamous? I shall die of shame, if he ever comes here again. He must fight these fellows; they are only picking on him because they think he will not fight. What does that Deaf Smith want, I wonder? I won't see him. I hate him."

She spoke with a vehemence that showed how she was affected, and Helen was surprised at her manner. Hitherto Diana had been the one who had treated Field with contumely, and had spoken of him with the utmost bitterness; and now, to the surprise of her sister, she was actually angry with the man who had insulted him, as much as with himself.

But Deaf Smith had come to the front door, and was ringing the bell with a vigor that knew no denial. Old Aunt Chloe, who had come with the family from the State of Georgia, came waddling out of the kitchen, where she had been preparing the breakfast, grumbling all the way at the early caller, and went to the door, when the girls, who were up-stairs, heard the voice of the deaf rancher say:

"Don't be skeered, auntie. Hain't b'en at a shootin'-match yit. Haow's the jedge? Up yit?"

"Why, laws, Marse Smith," exclaimed Chloe, horrified at the sight of his face. "Whar has you b'en? Old marse done gone and got hurt-ed, lass night. Didn't ye hear on that, marse?"

Deaf Smith had got into the habit of watching the lips of people and gathering a great deal of what they meant from their motion.

"Hurt!" he echoed. "Who's hurt? It takes more'n that to skeer a reg'lar Texan. I ain't hurt, not to speak of; but I'm mad, cl'ar through."

Chloe stared at him and made no reply.

"Why, what's de matter, Marse Smith?"

"Matter!" echoed the Texan, with a string of oaths, which he did not restrain in the least for the presence of Chloe. "The darned galoots that's come round hyar, fencin' in the country, is what's the matter. I wanter see the jedge, and git the men that has a stake, together, to see what's to be done. The galoots has gone and killed a hoss fur me, and give me this cut in the face, that sp'iles all the looks

I ever had, and I wanter see the jedge, and have a palaver on what's to be did."

Helen and Diana heard what he said, and comprehended in a moment what had happened. Deaf Smith had come to the same grief that had befallen their own father.

With a look—that sort of look which passes between two women who thoroughly understand each other—they went down the stairs, from the landing at which they had been listening; and, as soon as the rancher saw them, he pulled off his hat with a low bow, and said politely:

"Hope you ladies didn't hear me usin' any bad talk. It slips out sometimes, and I don't mean to. Is the jedge up yit, ladies? That's goin' to be trouble in this caounty, and we wanter git the solid men together."

Diana who knew him best and could make herself understood by him when no one else could, said in a whisper, but making the motions of her lips very plain:

"Father—was—hurt—last—night."

The rancher understood her in a moment, and cried:

"Then, by gum, it's just a scandalous shame! The jedge hurt, too! Was it over a wire fence, ladies?"

Helen nodded, and the honest, but hot-tempered man had to go outside the door to indulge in a burst of profanity which he could not restrain, but which he would by no means give utterance to in the presence of the ladies. When he came back, relieved by the little outburst, he asked:

"Is he hurt bad, Miss Di?"

#### CHAPTER X.

##### THE ENGLISH OVERSEER.

DIANA COLLINGSWORTH answered Deaf Smith very slowly, and trying to give emphasis to every word:

"The—doctor—was—here. He—says—he—will—get—well."

Deaf Smith's face brightened up as he said:

"The doctor! That was darned lucky, warn't it, Miss Di? I thought old Iorsford war at Austin. He told me he were a going to some convention or other."

Diana pointed down the road where Field had just gone away, saying:

"That—was—the—doctor—you—met—just—now."

Had she slapped Deaf Smith's face she could not have surprised him more than she did, when he fully understood what she meant.

His face changed from its usual ruddy color to a pallor that looked as if he was afraid of what he had done, and it was with an accent of profound regret that he said:

"Darn my buttons and skin, Miss Di, if I'd ha' known that, I'd never—"

Then he pulled himself up short, for he was one of the kind that always ignores that there has been any sort of a fight, when ladies are around, and continued:

"Very glad to hyar that the jedge is gettin' better, ladies. When he gits well, we want to see him. It's time this thing were stopped, and it's a goin' to be, you kin bet yer bottom dollar. Good-day, ladies."

And he hurried away with such ludicrous promptitude that Helen smiled to her sister, as she whispered:

"He's ashamed of himself, and he ought to be too. It's one thing to be timid, and another to be a bully, who sets on innocent men."

Diana made no answer, for she had turned away her head as soon as Deaf Smith had left the door. The girl was actually crying, and when Helen asked what was the matter, all she would say was:

"Never mind, never mind. I only wish I had never been born."

And with that she rushed back to the sick-room, and Helen was surprised, all the rest of the day, to find the usually wild and flighty Diana at the bedside, the most patient of nurses, while she herself had but little to do.

The day wore on, and in the afternoon they were surprised by the coming of a troop of horsemen, with a tall man at the head, whose handsome face and English dress proclaimed that he was the English overseer of whom they had heard such marvelous tales.

He came riding up to the gate of the ranch, with his following of men, as if he had been an Indian chief at the head of a war-party.

The men with him were all armed to the teeth, and had the air of tough customers, but they remained outside, while the leader came into the entrance, and rung at the door-bell.

To old Chloe, who opened it, he said:

"Ah! would you be so good as to inform me if there is a gentleman—of the name of—ah—judge—ah—Judge Collingsworth—lives here?"

"Yis, marse," said old Chloe, respectfully, for she saw at a glance that the stranger was what she called "one of de big bugs."

The tall stranger came a little closer in, and asked her:

"And is the gentleman in, by any chance, old lady?"

"Yis, marse; but de jedge is berry sick. He

done gone hab an accident last night. He in bed, marse, but de young ladies is in, marse."

She added this, with an idea that the young ladies would be angry if they did not see this handsome stranger who had come there. Poor Chloe did not know anything of the cause of her master's accident, and had no idea that the man before her was that cause.

The Honorable George Berkeley hesitated a moment, for the words told him that there was another victim of the fence that had been put up in the dark, and that the tide of unpopularity was growing steadily all the time.

Then the native and acquired impudence of the man prevailed, and he said languidly:

"Ah yes—that is very unfortunate, indeed. Please give the gentleman my card, and say that I called. I wish to be neighborly, you know, and—ah—well— Good morning."

Then he turned away from the door, and went to his horse, where he found Tomlinson waiting, to whom he said quietly:

"Beastly awkward, Tomlinson. The old chap was in the same boat with the rest. Took a cropper over the wires in the night. By Jove, it's getting bad for the poor beggars."

Then he rode away, and the troop of desperadoes that followed him there rode after him with a reckless swagger that told of their anxiety to pick a quarrel with any one rash enough to provoke it.

He had come out that morning to find out what had been done during the night by the fence, and to make sure in advance that no one should think him a man to be intimidated by any amount of anger or threats.

He had met Deaf Smith on the road in the morning and the furious rancher had shown him plainly by the air with which he passed him that there was nothing which would have afforded him greater pleasure than to have entered into a fight with him, then and there. But that was just what Berkeley had been expecting, and the sight only made him smile derisively; for he was secure from any ill-organized attempt to entrap him into a quarrel, by the number and character of his followers.

Deaf Smith had only three cowboys on his ranch, for he was a small owner, and the cattle company had twenty, besides the special constables sworn in for the defense of the great claim.

The moneyed corporation could count on about fifty men, well armed, to resist any attack, and they were safe from the anger of any single rancher in Satanta county, or of anything short of a levy in mass of the whole population of the county.

So Deaf Smith had had to take out his revenge in scowling, for he had sufficient prudence to know that it would not pay to pick a quarrel with a man who was waiting for it.

Punch Burleson was equally powerless for evil to the strange overseer; though he was more bitter if possible than Deaf Smith. He had been demoralized by the way in which the desperadoes, at Tomlinson's back, had set on him, at the smallest provocation, on the previous night; and was not inclined to try conclusions with him any more, till he was better prepared.

But when it came to Judge Collingsworth, whom Berkeley knew, from Tomlinson, to be a respected and well-known man all over the State, the English overseer began to look thoughtful, as he rode away from the ranch, observing:

"It's a beastly awkward thing this, Tomlinson. The old beggar's got hurt. I thought you said he had daughters, by the by."

"So he has," replied Tomlinson.

"Pretty, eh?"

"Very. Handsome, they say," was the reply, with a slight rise of color, for Tomlinson remembered how on a certain occasion one of them had openly cut him dead, when he had tried to force himself on her in the streets of Satanstown. "Too darned haughty for my taste, but there ain't no denyin' they're handsome."

"Then, by Jove! they must think we're a set of savages," the Briton thoughtfully observed. "I wish we'd had time to warn that old fellow about the fence before he went home. It's a beastly bore!"

The Honorable George called everything he did not like "a beastly bore," and Tomlinson understood him.

"I wonder if it would do to send the old duffer a note of apology," he pursued, meditatively. "If the girls are handsome, as you say, it's just as well to— Look here, Tomlinson, suppose you take a note to the father, and see how they take it?"

Tomlinson shook his head.

"Thankee, sir: but I don't want any in mine. It's as much as any one man's life's worth, now, to go to any house in this county, till we've had our fight, and downed these men. You don't know Texas yet."

Berkeley smiled, in his superior, English way.

"Ah—yes—perhaps I don't understand Texas, as well as you do, my friend; but I flatter myself that human nature is the same, here, as anywhere else, and I am not usually reckoned

a fool, there. If you are afraid to go, say the word, and I will."

Tomlinson looked aghast at the Britisher who spoke to him in this way.

Had any other man in the State told him to his face that "he was afraid" he would have pulled on him, in a moment.

But there was something in the languidly haughty way of the English scamp, which he had contracted from the habit of associating only with the titled sharpers of the other side of the sea, that overawed Tomlinson, in spite of himself; and he said:

"Well, captain, if it comes to that, I don't hesitate to say that I should be afraid to go to that house, alone, now. Didn't you see the men watching us? If one of us went there alone, it is ten chances to one that he would be set on, and dropped before he had time to pull a weapon."

"But what for?" asked Berkeley, with the same air of supercilious wonder that he had displayed:

Tomlinson was nettled.

"What for? What in blazes should it be for? Ain't we gone and hurt the old man, at the ranch, and ain't he the boss, thar? Texas cowboys don't wait long, when a friend's hurt. They'd ha' opened fire on us, that time, only we was too strong fur 'em; and they seen it."

Berkeley turned his horse's head to the house that he had just left, asking:

"And do you mean to say that, if one of us goes there alone, he is liable to be fired at, without any questions asked?"

"That's jest what I mean, Cap."

Tomlinson had heard that his new chief had been in the British army, and called him "captain" from the necessity of every man in Texas to wear a title of some kind, and as a mark of respect.

"Very well, then," said the Englishman, with an air of resolution that made the others stare, "I am going back there, to apologize to the ladies and if you have not the pluck to follow me, you can stay behind, Mr. Tomlinson." So saying, without any more ado, he rode off, back to the Collingsworth Ranch.

Tomlinson stared after him, and then, setting spurs to his horse, called out to the rest:

"Come on, boys. We ain't goin' back on the captain."

Berkeley turned round on them, and stopped them with a gesture.

"I don't want any of your men," he called out. "If you want to come, alone, with me, Tomlinson, you can do so. But I am not going to be frightened off by any man in Texas. You mark my words. Alone, or with you; but no crowd. You Texas people believe in crowds."

Tomlinson was touched in a sensitive spot at the words of the other. It was a regular challenge to show who was the bravest of the two, and the reckless Texan never evaded a challenge of that sort.

"Stay back, boys," he said, to the others, waving his hand to them.

Then he set spurs to his horse, and followed Berkeley, to whom he said, as he came up:

"If you want to go in and get killed, Cap, it's your own lookout, not mine; but no man shall say Jack Tomlinson was so fond of his life that he went back on a friend. I'm with ye, all the time."

The one virtue of the man—a reckless courage—shone out as he spoke, and Berkeley, who had about the same amount of good in his composition, nodded as he observed:

"You're the right sort, after all, Tomlinson. Come on. If there's any trouble, we shall have to make the best fight we know how; but I don't believe there will be any. I'm going to ask for the ladies."

So saying, he deliberately rode up to the house, and saw, as soon as he got there, the advice of Tomlinson had been sound. The front yard of the ranch was empty, as it had been before, but there were six or seven cowboys, who had just ridden in from the range, outside the place, looking as if they had come back on purpose to have a fight; for they had their hands on their hips, and came on at a lop, straight toward the two strangers.

"Look here, Cap," said Tomlinson, as he saw them, "I don't wanter be made a target on, afore my time, and if we don't put to the house afore those fellers get thar, ahead of us, there's going to be music. They've found out that the hull range is shut up, and, they're jest a-goin' to have a muss for satisfaction."

Berkeley's only answer was to pull out his pistol and wave it defiantly at the cowboys, as he cried:

"Come on, you cowardly beggars. Three to one. It's the only way you dare fight."

#### CHAPTER XI.

##### THE FREE FIGHT.

THERE is nothing a Texas cowboy admires more than pluck, and when the men of the Collingsworth Ranch heard the defiance of the Englishman, it was a direct challenge to them to show fair play.

They came on, the same as ever, with their pistols out, but they did not fire, for they knew

that the others would not begin the action, being the weakest in numbers.

Shorty, who headed the gang, cried out:

"Ye sha'n't say we wouldn't fight ye squar', stranger. Bring on 'er champion. We're the boys to drill the holes in him."

Tomlinson rode out at this challenge, crying:

"I'm the man for you, sir. Man to man, and no jumpin' three to one."

"Good for you!" shouted back the chivalrous Shorty. "I'm the man fur you, Tomlinson. Git back, boys, and give us a ring."

The other cowboys, at the word, checked their horses, watching keenly to see that no unfair advantage was taken by Tomlinson, while they did not use their own superiority in numbers.

It was an eminently Texan spectacle, to see the two men ride at each other, singly, while the Englishman, on one side, and the cowboys, on the other, looked on, in the grimly indifferent fashion that comes of indisposition to interfere in a fair fight.

Tomlinson and Shorty were about a hundred yards apart, and made their preparations for the fight with characteristic coolness.

They were few and simple, consisting in putting spurs to their horses, and riding off diagonally, so as to circle round each other, to the left, as if they were about to engage hand to hand.

The cowboy reserved his fire, and so did Tomlinson, for neither had any ambition to miss, and the waver of a hair's-breadth in aim would make all the difference in the life or death of the other.

The ponies cantered steadily and rather slowly, for they were used to pistol practice, and knew what was required of them.

As they got within about twenty yards, Tomlinson raised his pistol, and Shorty did the same. Then came two simultaneous cracks, and both men staggered in their saddles.

Shorty uttered a wild yell, and threw up his arms, when Tomlinson fired a second shot, and dropped the unhappy man from his saddle, stone-dead.

Shorty's bullet had struck the desperado in the chest, but had not disabled him sufficiently to stop him from giving the cowboy the death-stroke.

Then the veteran fighter waved his pistol at the other cowboys, and shouted:

"Whar's the next man?"

The taunt was like to have cost him dear, for the other men, maddened at the loss of Shorty, and seeing what fools they had been to throw away the advantage they had, made a rush forward and opened a brisk fire at Tomlinson, who fired back at them with accurate aim, undisturbed by the confusion of the *melee*, in which he was at home and at his best.

Berkeley, who had served in India at one portion of his checkered career, rode in and joined in the fight at once, with the result that, in less than two minutes, two cowboys were killed, and both of the rash men who had entered the front inclosure of the Collingsworth Ranch were off their horses, wounded and firing from the ground, behind the shelter of their animals, at the assailants, while the party which had been left behind, seeing the trouble going on, came dashing back without orders, firing as they came, in such a style that the cowboys of the Collingsworth Ranch sought safety in flight, and left Berkeley and Tomlinson masters of the field, both men bleeding and faint, but triumphant.

Then came a pause after the storm, and when Berkeley looked up from the ground, where he saw the bodies of two men, he beheld, at the door of the house, a young lady, very beautiful in face and figure, who was gazing at the scene with an expression as if she was terrified half to death.

The Englishman, for the first time since he had been in Texas, felt ashamed of himself, as he saw the young lady, and realized what he had done in his empty bravado.

Had he been anything else than what he was, he would have ridden away and let the matter go, but he had so much pride in his own powers of persuasion, in the case of the female sex, that he actually took off his hat, went up the steps, and said to the lady:

"Ah, I beg your pardon, I'm sure, for the trouble that these people have put you to; but I assure you that it was not my fault. I merely came here to apologize to you young ladies for the accident that happened from that fence of ours, last night, and your men set on me and my friend here. I assure you I am most heartily sorry for the whole thing."

The young lady looked at him in a way that he did not understand. She shuddered slightly, as she said:

"Please go away, sir. You have done enough already, without insulting us at our own door."

Berkeley bowed low, and was about to retire, rather crestfallen, when he heard the hoofs of a galloping horse, and a young man rode into the inclosure and reined up at sight of the bodies, with a cry of horror that would have been wrung from almost any one at the sight.

There were three dead men on the ground, the blood oozing from the wounds in the breast that they had received; Tomlinson was holding on to

his horse, in a fainting condition, the courage of the man alone keeping him from dropping on the ground by the rest; and, in the ranks of the desperadoes who followed Berkeley, were several men, who looked as if they had not escaped scot-free.

Berkeley himself was bleeding from a wound in the head, where the bullet had grazed the temple; and the blood that streamed down his face made him a ghastly object. The whole place looked as if it had been the scene of a recent battle, and no one would have thought that the occurrence took place in a time of profound peace, when the law was supposed to be supreme over a large portion of the Union.

But the young man who came galloping in, at that moment, was too much accustomed to such sights to be more than momentarily disconcerted.

Berkeley had his eye on him, as soon as he entered and called out to him haughtily:

"Here, you, sir, what do you want here?"

Tom Field—for it was he—without answering, got off his horse and went to Tomlinson, to whom he said with a quiet assumption of authority that made the other stare:

"You're hurt badly. Get that jacket off at once. I want to see what's the matter."

Tomlinson, with a faint smile, asked:

"Who the blazes air you, anyway, stranger? I don't know you."

"I'm a doctor," was the instant reply. "If you want to die where you are, I'm not going to let you."

Then he turned to the men sitting on their horses, close by; and added authoritatively:

"Some of you get off, and make this man a litter. He has got to be carried out of this. After I have attended to him, I'll look to you."

The words, "I'm a doctor," produced an immediate revulsion of feeling in the crowd, which had taken possession of the ranch. Even desperadoes have their feelings, and they all wanted to be attended to at once. Field waved them all back, as he said:

"One at a time: this man is the worst hurt here, and I have a case in the house, too. Do what I told you: get sticks and make a litter."

Then he went to Tomlinson and helped him off with his fine velvet jacket—for the desperado had attired himself, after the manner of his class when on horseback, in all the finery of the Mexican vaquero. He paid no attention to the lady in the doorway, though he knew well it was Diana Collingsworth, and that she was looking at him, all the time. Berkeley stood near him, and regarded the wounded desperado anxiously, for he saw that Tomlinson was badly hurt, and he had depended on him greatly, for the control of the men who had been engaged as special constables. The young doctor carefully examined the wounded man, and said to Berkeley:

"Your friend is shot through the right lung, and he needs to be put somewhere in quiet, or he will go off very quickly. How far off do you live, sir?"

"About ten miles," was the rather dismayed reply. "Look here, doctor, what are his chances?"

Field shook his head.

"Impossible to say till to-morrow. If he gets over the fever well, he will have a fair chance. He has a good constitution, from the way he stands this, but he is a badly-wounded man."

Berkeley turned to the men with him, and gave them a few brief orders.

He went to the doorway again, where the young lady still stood, and asked her:

"Have you any objection to our taking some of the wood in your patch of timber, yonder, to make a litter?"

The young lady shook her head.

"Take what you want, as long as you go away from here," was all she answered.

The look of hatred and contempt which she gave him, as she spoke, brought the blood to the cheek of the proud English scamp, who was wont to have a very good opinion of himself under all circumstances. He obeyed her, and Tomlinson was attended to, while the doctor looked to man after man of the desperadoes who had come down on the ranch, till they had all been sent away, and the place was empty.

Then he walked up to the front door, where Diana stood like a statue of watchful observation, and said to her:

"I hope your father is better, Miss Collingsworth."

Diana shuddered, as she answered:

"Better! How can that be, sir? You said that he was to be kept quiet, and here they have had a fight under his very windows. If I had not come here, and stood in the doorway, they might have penetrated into the very house itself. How could you attend to them, as you did?"

Her eyes were glittering with anger, but he answered, without any sort of hesitation:

"You do not understand the code of morals of a medical man. It is our duty to heal; not to hurt. If my bitterest enemy lay there, wounded, it is my duty to help him. If you please, I will go up to your father's room, now, and see if I am wanted."

She moved aside for him, as if the touch of his hand would be pollution, with the remark:

"You have a singular code, sir. Had it been my case, I would have let the wretches die as they deserved. To be sure, it might have been dangerous to refuse."

Her last words were spoken with an accent of scorn that showed she meant them in the most offensive sense; but he only smiled as he went past her, up to the room where the patient lay on his bed, his face flushed with fever, his head tossing restlessly to and fro, while the muttering showed that he was not yet entirely sensible of what was going on round him.

The young man stepped to the side of the bed, and asked Helen, who was sitting there:

"How long has he been this way?"

"Since the trouble below began," she said, in a whisper. "At first he was puzzled; but, as the firing grew heavy, he got excited, and began to wander. Do you think he is worse?"

The doctor felt the pulse of the old man, and examined him carefully before he answered. Then he said, very gravely:

"Yes, he is worse. He must be kept quiet for the next day or two, and have the wet cloths to his head all the time. What a pity you have no ice in Texas. There is nothing else to do, but to wait for nature. The noise has retarded the cure; but there is no fatal symptom."

Here the old man opened his eyes, and exclaimed, as he heard the last words:

"Who's there? Who's there? Is that the doctor?"

"Yes, sir," returned Field, soothingly. "Keep as quiet as you can. You have had a fall, and must lie still for a time. That is all."

The old rancher stared at him, and asked him, in a vaguely wondering tone:

"Who are you? I don't know you, sir."

"I am the new doctor," said Field, quietly, with the air of authority that became him so well when he was in the sick-chamber. "You must lie still, and be as quiet as you can."

Then he turned to the young ladies, and added:

"He must be left alone in the dark as much as possible. Don't talk to him, under any consideration. Come this way, please."

They followed him, and the sick man, whose brain was still in the dizzy state that follows a shock, ceased to look after them, and went to sleep again.

## CHAPTER XII.

### HANK, THE NAILER.

At the time that Berkeley and his party rode from the Collingsworth Ranch, there were two gentlemen approaching that locality, who had been more fortunate than the other ranchers of Satanta county, in that they had escaped injury from the famous fence that promised to be a bone of such great contention in the county.

These gentlemen were "Limpy" Balstrop, and "Hank, the Nailer," who being of more sedate disposition than the other assistants at the Lame Hog round-up, had ridden home from the colonel's ranch at a walk, and were arrested by the fence in time to know what it was, and make an opening therein.

Their ponies had not been hurt, having stopped in time, and yet these were the two men who were the maddest of all, when they realized that the fence had been put up by the cattle company, to bar them out of the range of free prairie, where they had been accustomed to let their cattle graze at large, ever since they had been in Satanta county.

The size of their claims was not enough to herd all the cattle they had, in the shiftless Texan style of grazing, where there was never any provision made for winter, and where the cattle roamed around as they willed, only restrained from getting out of sight of the range by the cowboys.

"Limpy" Balstrop, who had the largest herd of ponies, having tried the experiment of horse-breeding, was especially alarmed at the erection of the fence; for he knew, from the direction it took, that it was meant to cut off the ranchers from the river, on which they depended for the supply of water for their stock.

To lose the water-front was to lose the stock, in the dry summers of western Texas, and Limpy knew that, as did Hank, the Nailer.

They agreed to go out to the "Jedge's" next day, and have a general consultation as to the means to get rid of the obnoxious fence. When the English overseer rode away from the ranch of the old man, they rode up to it.

They met Berkeley's cavalcade on the way, and watched the appearance of the wounded man with grim satisfaction. They knew that he had been into a fight, and judged that it was on account of the fence.

Only the fact that the numbers of the cattle company's party greatly exceeded the force at their own disposal, prevented them from attacking them at once; but there were twenty well-armed men, who were all recognized as old horse-thieves and desperadoes, in the cavalcade that followed the Englishman, and the two friends thought that it would not pay to get into a fight, till they were sure they were on the winning side.

When they came up to the house, the first person they saw was the young doctor at the door, taking leave of the ladies; and, at the sight of the man they had thought hunted out of the county, the ire of Limpy was aroused; and, as soon as the door was shut, and the ladies out of sight, he rode up to Field, and said to him harshly:

"So, young feller, you're hyar again, air ye? Goin' arter the jedge's darters, when ye hain't got the spunk of a man, to take keer of a woman. Now, look-a-hyar."

As he spoke he put his hand to his hip, and eyed the other menacingly.

"I give ye jest one day to git out of this caounty fur good. Them gals is fur your betters; d'ye hear? If I ketch ye raound hyar again, I'll shoot ye on sight."

Field's face had paled slightly as he heard the threat, and the rancher noted it instantly, for he added, with a sneer:

"Ye darned chicken-livered skunk! if it warn't that 'twould be a disgrace to kill ye now, I sw'ar I'd shoot ye down like I would a coyote. GIT!"

But to the surprise of the rancher and his friend, Field answered:

"Mr. Balstrop, have I ever injured you?"

Limpy burst into a laugh of ineffable contempt.

"Injured me! YOU! Why, ye darned slab-sided galoot, if ye was ever to injure me, and I was to hyar on it, I'm darned ef I wouldn't lick ye till ye squealed."

Field kept his calmness, though his face was very pale, as he answered:

"I am unarmed. I have never hurt you in any manner, and I don't see why you should try to pick a quarrel with me. I came here by accident, and have been taking care of the judge, who has been hurt very seriously by a fall over a wire fence—"

"Limpy burst in on him:

"What's that? The jedge hurt? What air you doin' hyar, then?"

"I am a doctor," was the reply; "and I have to go where I am sent to help the injured. It is not fair to pick quarrels with me, because I happened to come here by accident. I put it to yourself, if it is the part of a brave man to go around insulting men who no not want to brawl."

So quiet was his air, and so reasonable his words, that Hank the Nailer, who had taken no part in the bullying, nodded his head assentingly, and remarked:

"The boy's right, Limpy. It ain't the part of a man to be pickin' on him all the time. Let him go."

But Limpy had heard the claim set up by the other, and he retorted:

"He says he's a doctor, and old Horsford ain't dead yet. There ain't no need for two doctors in the caounty. He's got to git aout of it. I'm Horsford's friend, and I say it. The skunk's got to git aout."

Then the spirit of the young man who had stood so much coarse abuse, woke up at last, and he said to Limpy steadily:

"If you think to drive me from this place by threats, sir, you are mistaken. I am here to stay, and I am going to do it."

Limpy stared at him as if a sheep had suddenly turned on him in anger. He was too much astonished at first to say a word.

When he had recovered his coolness enough to speak, he roared savagely:

"And I tell ye, ye've got to git! D'ye hyar me, sir?"

He drew a pistol as he spoke, with the readiness of his class, and the young man before him threw open his coat, and said simply:

"Shoot then, and stamp yourself a coward. I am unarmed."

The rancher was so much enraged that he was on the point of firing, when Hank, the Nailer, urged his pony between the men with the stern warning:

"None of that now, Limpy. You know me. If there's any shootin' to be done, I want a hand in it. This gentleman hain't done nothin' to you, and he ain't armed. Ef ye want to fight him, he's got to have a fair show."

Limpy put back his pistol sullenly, with the bitter remark:

"Gawl darn him! that's what I want; but the darned galoot won't fight. Lend him a weepin'."

Hank, the Nailer, at once turned to Field, with the courteous offer:

"Look hyar, sir, Limpy talks reasonable. I'll lend yer as good a pair of shootin'-irons as ever were handled by a man, and that shows I like ye. It ain't often I lets a man handle my tools."

Field shook his head with the frank admission:

"But I have scruples against fighting a duel, and I never fired a pistol in my life, sir."

Hank stared at him for a moment in so much surprise that the expression of his face was actually ludicrous, as he ejaculated:

"Never fired a pistol in your life! Then what in blazes air ye doin' in Texas?"

Limpy Balstrop had listened to the astounding avowal, and burst out into a roar of laughter.

"Doin' in Texas!" he roared. "Why, the darned fool came here to hunt bugs and crickets, I b'lieve. See hyar, Hank, he ain't wuth the powder to blow him to blazes. Let's git into the haouse. The ladies'll know what's the matter with the jedge."

He rode away to the house, and Hank the Nailer, who was the quietest rancher of the neighborhood and perhaps the bravest, from the confidence he had in his skill with the pistol, which was really very wonderful, stayed behind to say to Field, with an air of kindly advice that showed he meant it:

"See hyar, sir; I don't think you're a coward, by no means. You've got the stuff in ye somewhere, and my advice to ye is to see that it comes out. You say you never fired a pistol? Well, the quicker ye larn to do it, the better it will be fur ye. A man ain't, so to say, a man, in Texas, ef he can't shoot. Whar was you brought up, ef I may ax?"

Field could not help a slight smile, as he answered:

"I am a Bostonian, sir, by birth."

Hank the Nailer nodded his head thoughtfully more than once, as he observed:

"Waal, naow, I thought that must be *suthin'* that made ye so skeery. I see what it is naow. It's the blood in ye. I'm different from some folks. I ain't one of them b'lieves when a man comes from Boston he can't never be made inter a man, nohow. If you wanter larn pistol shootin', I won't say but what I mou't teach ye a little myself. I sw'ar. I hate to see the boys a-pickin' on ye all the time, and you so quiet and civil-spoken. Whar d'ye live naow?"

Field colored, as he replied:

"Away off on the borders of the Indian Territory—too far to accept your kindness. I am sincerely grateful to you, Mr. Kimble, for you are the only one in the whole crowd of these Texans who has treated me as a human being. I hate to quarrel. I would rather be thought a coward than fight a duel and imbrue my hands in the blood of a fellow-creature. I only ask to be let alone, and it is hard that they persist in picking quarrels with me. I thought that my profession would be a protection to me; but it seems not. Good-day to you, sir."

He was riding away, when Hank called out after him, in a tone of good-humored warning:

"I tell ye what it is, sir; you're too good fur Texas, and that's what's the matter. The principle's all right, but it won't wash in Texas. Some day you'll find that aout, and then you'll fight."

Field turned round in his saddle, and his face wore a singular expression, as he answered:

"If ever I do, sir, I am afraid I shall go as far the other way as I have in this. Good-by."

Then he galloped off, and Kimble went up to the door of the house, where he found his friend Limpy in close confab with old Chloe, who was retailing the news of the judge's accident, with variations, and delighted with the way in which Limpy received it.

The excited rancher was swearing frightfully at every sentence, anathematizing the company that had set the fence and the men who worked for them, till his friend came up, when he said to the Nailer:

"That settles it, Hank. We've got to drive these cusses aout of the caounty, or they'll drive us. I'm a-going to fetch the boys, and make a fight of it. They kin make aout we've stood all we're a-goin' to stand."

Hank Kimble asked for the young ladies, and was informed that they were up-stairs, in the sick-room, and could not be seen, which was rather discouraging for the two men, who had ridden twenty miles that day for the express purpose of seeing them.

But as there was no resource but to obey, they went sorrowfully away from the door, and Hank Kimble observed, as he rode on:

"It's a darned queer thing that gals are so hard to see, ain't it, Limpy? They're allers a-fixin' up to see the men, and never ready when you go in the middle of the day. I wish I had a wife. I'm tired of this sort of thing, and ef it don't change I'm a-going East to fetch me a gal from thar."

Limpy, who had been buried deeply in thought, since he had been talking to Chloe, burst out all of a sudden, with the exclamation:

"Jumpin' Geeshoshaphat, and cream-colored corn-cakes! Hank, d'ye know what I were a-thinkin' of?"

"No. How in blazes should I know?" asked Hank.

"Waal, then, I tell ye what it is. That thar feller as calls hisself a doctor, is a-playin' it on us."

"How so?" asked Hank, soberly.

"It's my b'lieve he ain't no doctor at all, but only a hoss-thief, or suthin' of that sort."

Hank turned round in his saddle to stare at the other, as he asked:

"What in blazes makes ye say that, pardner?"

"Because it ain't natural fur a man to stay in Texas as long as he has, and not know how to fight. He's a-playin' off, and this doctor racket's

only a blind trail to throw us off the real thing. If I c'u'd only ketch him at it, fur onst— Hank Kimble, it ain't natural fur that feller to be arter them gals fur nothen. He's a good-lookin' feller enough, and he kin talk a streak, and they seen him when they wouldn't see us. I tell ye, that's suthin' in all this, that ain't reg'lar. When he war hyar, afore, he were nothen but a cowboy, without a cent to bless himself with; and now they say he's a doctor. It's my 'pinion he's a hoss-thief."

## CHAPTER XII.

TOM FIELD'S STORY.

OLD Cross-Eye, the Maverick-Hunter, was sitting at the door of his jacal, away off by the borders of the Indian Territory, in the midst of a solitude as complete as when the first settlers came into the State, though there was not the same amount of unoccupied land as then.

His friend had left him alone to go to Satanstown, and the old man did not know when he was coming back.

Old Cross Eye was reading from a book, as he sat. The book was old and thumb-worn, as if it had often been consulted, and the binding was of the brown sheepskin that is only seen on Bibles and old-fashioned schoolbooks nowadays, cloth having displaced the old style, from its cheapness.

It was a Bible that the old man was reading, as he sat there in the sunset; for he was devoutly inclined. In the solitude of his distant ranch, the work was so much less than on an open range, from the natural corral he had found there and improved, that he had much time on his hands, but had nothing in the place to read save this Bible, and some Latin books that were never opened by him, for the very good reason that he did not understand the language. The books themselves belonged to his partner, Tom Field.

That evening was about three days after the time when Limpy Balstrop had declared to Hank the Nailer that the strange young man was a horse-thief, in his opinion; and Old Cross-Eye was getting uneasy about the absence of his young partner, for Tom had promised to be back that day, and now it was sunset. The younger man had been sent because the old man knew the ranchers would feel very bitter toward himself on account of the trick by which he had enticed the herd of Mavericks off the land of the Collingsworth range, and they did not know of Tom as being his partner, while the young man's face was almost unknown, or, if known, forgotten, in the town itself.

Tom had gone there with some money that had been brought by the sale of the surplus stock of the ranch to the chiefs of the Indian country soon after the time when they received their regular annuities.

The good terms on which Tom Field had managed to put himself with the Indians at the reservation had served them a good turn, for the Indians of the territory are by no means poor, and the man who can trade with them, with or without the sanction of the Government, as long as he does not get turned out, is sure to reap large profits. The sale of their stock had been arranged by Tom the very day after the Indians had come down and helped themselves to the bullocks.

The old man was muttering to himself, as he sat at the door of the jacal:

"It's cur'us what a deal of human nater there is in this here book, when ye come to look at it. Them old Jews was just like the Yanks. These Indians is like the Canaanites; and, by gum, they're gettin' h'isted out of the land that used to be thei'rn, jest about as fast as the Hivites and Jebusites got out of the promised land. They got no business to stay anyhow. We're the Lord's people, and they're the heathen. Tom's got a lot of heathen notions about him; but I must say he did well, in that trade with the Injuns. We'll have all the stores we want, if he don't git jumped on, in Satanstown. Cur'ous how that boy hates to fight. Reckon he'll Parn some day. Not that I'm overly fond of fightin' myself. Them poor crooked eyes of mine ain't the things fur to shoot with, and the less shootin' there is, the better I like it. But where the dickens kin Tom have gone to? He ought to have been here in the mornin', and here it is, 'most sundown."

Old Cross-Eye rose and saddled his pony, to take a ride on the prairie and look for his delinquent partner; but, as he was emerging from the corral, he saw the well-known figure coming over the green grass, and saw that Tom was followed by a string of mules, loaded with packages.

The young man was all alone, and looked tired and worried with his long ride; for he had driven the mules all the way from Satanstown, a distance of fifty miles, straight on end.

Old Cross-Eye rode up to him, and greeted him:

"What's kep' ye, all day, Tommy, boy?" he asked, in the kindly tone he always used to the young man.

Tom Field looked gloomy as he answered:

"I'm tired to death, Jake, and I want to rest and eat, b'fore I talk. Will you excuse me, and not think me rude?"

The old man saw that the younger one was speaking the truth when he said that he was tired out; for the expression of his face showed it. He took the halter line of the leading mule from the hand of his partner, and said:

"You go to the hut, and eat what ye find there. I got yer grub ready fur ye, whenever ye come. I'll take keer of the mules."

Tom rode away to the hut, and found, as Old Cross Eye had said, that he had prepared a meal of corn bread and venison, on which the younger man appeased his hunger.

When Old Cross-Eye came in, a little later, and began to bestow the packages and sacks of the mule-loads in their appropriate places, Tom said to him:

"Thank you very much, Jake. I feel better. As soon as you are ready, I will tell you all that has happened since I was away."

The old man made no answer till he had straightened out matters. When it was all finished, and he had lighted his pipe, he said to Tom:

"Now then, boy, go ahead. What's happened to ye?"

Tom began his story at once:

"In the first place, when I went down to Satanstown, I was so near the Collingsworth Ranch, that I could not help taking a ride over there, to see one or two of my old friends, that had been herdsmen at the time when I was there. You know they treated me very well. It was the ranchers that were down on me, because they saw that I was treated as a human being by the judge's family. There was Shorty Jim Benton, you know, and the rest of the boys. I was positively fond of some of them."

Old Cross-Eye listened to him without offering any remarks, till Tom stopped, as if he expected the other to say something, when the old man observed in the driest of tones:

"Waal, so ye went up there to see Shorty? Didn't see no one else, I reckon; did ye?"

Tom colored slightly as he answered:

"Well—yes—I did."

"Thought so," was the dry interjection.

Tom, without noticing it, went on:

"Yes, it so happened that I went there, at a very strange time. You know that cattle company that we talked about—"

"Yes," interrupted Old Cross-Eye eagerly.

"Has the trouble begun yet?"

"It has. When I went to the ranch, I was nearly getting my horse lamed and myself hurt by a wire-fence, that had been put up there, across the whole line of ranges, between them and the river. It was that horrible barbed wire, that has a point every few inches, and the pony nearly run on it, in the dark. I was riding at a walk at the time, or the fall would have been bad. As it was, the horse stopped in time, and I found out what was the matter. That very night, there were several accidents from that same wire, and among the rest Judge Collingsworth was hurt. The men at the ranch told me of it, and Shorty took a message from me to the young ladies, offering my services to their father."

Old Cross Eye stared at him.

"Yer services? Fur what? Ye couldn't help the old man; could ye?"

Tom seemed to be slightly embarrassed as he said:

"Well, that has never come up in our talks, but then we are neither of us curious men. You did not know that I am a graduate of a medical college?"

Old Cross-Eye took his pipe from his mouth, as if he was about to speak, but ended in shrugging his shoulders, as he remarked:

"No, I didn't. Go ahead."

"The fact is," went on Tom, as if he wanted to get it off his mind, "you and I are the same sort of men. We mind our own business, and leave other men to take care of their own. I never asked you any questions about your past life; and you have respected mine. Jake, it's time we made a clean breast of it to each other. You don't know why I came to Texas. I'll tell you now, and then you will understand all. I was at college, when trouble overtook my family. I woke up, one morning, to find that I was a beggar, and my father a suicide. We all thought he was rich, but when his affairs were examined, by the executors of his will, it was found that he had been living on credit, and that his debts were more in amount than his assets. My mother had died long before that. Thank God, she never knew what was coming. I had just fifty dollars left, in the world, when they had settled up the estate of my father; and I had no idea what to do. I could not set up as a doctor in my native town, because I had no capital to live on, and I was advised to go West and grow up with the country. I came to Texas, by working my passage on a schooner to Galveston, from the North, and found that the only way I could earn a living, was, to hire out as a cowboy."

"And pretty tough ye found that," remarked the old man dryly.

"You say truly. I liked it at first, till the people at the Collingsworth Ranch found out that I was a man of education, and the judge began to make much of me. Then the ranchers began to persecute me, and my life was made a

burden. I went away from there, and wandered about till I met you. You were the only man in Texas that ever gave me a civil word, except the poor cowboys; and I hired with you, as you know, as a sharer in the profits of this place. But all the time, I have had it in my mind to start as a doctor, some day; and I kept up an acquaintance with Dr. Horsford, at Satanstown. He was just going away to attend the state medical convention when I got to Satanstown, on this last trip, and I saw him, as he was going. He asked me if I would look after his patients while he was gone, and I said I would, of course. He was to pay me. Well, that was how I came to go to the Collingsworth Ranch, and did my duty there. I believe I saved the life of the judge; and yet—would you believe it?—when his friends, those ranchers that used to persecute me, found I was there, they tried to pick quarrels with me, and insulted me in every possible way, so that, on the third day, I had to leave the case in Horsford's hands, when he came back, and come away; with the satisfaction of knowing that they fancied they had driven me away again, as they did before. Jake, Jake, what am I to do? I cannot live in this way forever. My blood boils at the indignities that they have put upon me; but I cannot become a desperado, like the rest of them. It is against all my early instincts. I never killed so much as a deer yet."

"No," interrupted Old Cross-Eye; "ye leave me to do all the shootin', though ye know I ain't much of a shot, with these eyes of mine. If I hadn't learned all about the places to find the deer, Tom, there's many the time we'd had to go hungry. Tell ye what it is; ye've got to make a change. A man in Texas can't get on, without he shoots."

"You come here the quietest of lambs, but you're a-gettin' riled at last. I ain't so sorry fur it, boy. You're a-comin' to it. You'd make a rip-tearin' shooter if ye wanted; fur ye have the eye, and I hain't. Ye ain't no weaklin', nuther."

"No," was the rather proud reply. "I was called the best general athlete in my class. I think I could shoot, if I was to try. But then to kill a man—that is what hurts me, Jake. My mission is to save life, not to take it."

Old Cross-Eye curled his lip, as he retorted: "Ye don't s'pose that, 'cause ye go and larn to shoot, ye're sure to kill yer man every time, do ye? Why, I've see'd men that thought they c'd shoot, come from the East, some place they call Creedmoor, and they warn't nowhere, here. That kinder shootin' ain't what's wanted in Texas, boy. A man's got to shoot quick, here, or he don't get a chance to cock his weepin'. If you wanter larn to shoot, it's high time ye begin."

Tom colored deeply, as he said:

"To tell you the truth, I bought a pair of pistols at Satanstown."

## CHAPTER XIV.

OLD CROSS EYE'S STORY.

WHEN Old Cross-Eye heard the words of his companion, he smiled as one well pleased, as he said:

"I know'd it were a-comin', boy, and I'm glad it's come. If I was the man I onst was I should say, go in and shoot all the men that's b'en a pickin' on ye; but I ain't, I ain't, and I'm thankful I ain't."

"Why, what do you mean?" asked the other, for he saw, from something in the old man's face, that he wished to be questioned.

Old Cross-Eye sighed, as he answered:

"Turn about's fair play, boy; and you've told me your story, without my axin' ye. Now ye shall hear mine, and tell me what ye think on it."

Tom, much pleased at the idea—for he had long had a curiosity as to what had driven his friend into the wilderness—settled himself into an attentive attitude, and Old Cross-Eye began:

"You was brought up to college, ye say. I warn't. I worked at the shoemaker's trade, when I was a boy, and I might have b'en there if it hadn't ba' b'en that I got married."

The words "I got married" seemed to have a strange effect on the old man, as soon as he had uttered them, for he stopped abruptly, as if he half regretted that he had begun the story, and it was nearly a minute before he continued:

"Yes, I said I'd tell ye, and I'm a-goin' to do it. I was married, and thought, like a fool as I were, that a man like me, with the hand of God laid on him from his birth, could get a handsome gal, to love him true, when she had a chance to do better. I was a fool there, boy, and I knew it when it were too late. My Mattie were as pretty as a picter, and I had a nice house in the place where we lived. I thought we was goin' to be happy, and we was at first. Then come a time, when I seen it warn't the same with her, as it had b'en, and the story come to me, that Mattie had had a beau, afore ever I axed her. And this beau was a handsome feller, too—a man of the name of Tomlinson."

"What name did you say?" asked Tom, suddenly.

Old Cross Eye shook his head, as he answered:

"Never mind now, boy. He had a dozen of names, I found out, after the trouble come; but I knew him as Tomlinson. He was a drummer for a house in New York, and a gambler, and all sorts of bad things; but poor Mattie never knewed it; and it seemed that he made love to her on one of his visits to the town—Mattie used to work in a store afore she married me—and he used to drum the store, to sell some sort of goods. But that's nuther here nor there. To make a long story short, it seems that he'd promised to marry Mattie some day, and she, like a fool, had believed him, till she heard he'd b'en a-makin' love to a hull lot of other gals. Then she married me, and I never knewed she did it out of spite. Yes, I might have knowned that a man like me could never get a woman's *real* love. But I was a fool at that time. The end of the matter was that, this man Tomlinson come back to the town, about a year arter we was married; and I don't know how he did it, but he kinder fascinated poor Mattie, and she—she ran away from me, as I found out, with him."

The old man covered his face with his hands as he uttered the last words, and shuddered at the memory it called up in his heart.

Tom sat by him in respectful silence, till the elder resumed:

"Yes, she ran away from me, and what d'ye think the people said about it? They laughed at me, and I hadn't a friend in the world to comfort me. Ye see a cross-eyed man ain't fit to live, in some people's thoughts, and when he carries off the prettiest gal in the town, they hate him wuss than pisen. I saw that I'd have to grin and bear it, if I couldn't find Mattie, and get her to come back to me. I sold all I had, and started to find her. I knewed where *he* come from—that is, the house—and I got a friend to get his route from them. I hunted and hunted, till I ran 'em down in Missouri, and there I met *him*, face to face. He knewed me, well enough, though he'd never seen me. These eyes is a mark that ain't easy fur no man to bide. I had a pistol, and I'd b'en ready fur him, since ever I'd b'en on the track. I drawed it, and what was the consequence? I got the wust of it. He was the quickest, and got his'n out afore I did. He holered me to drop it. I was sich a little feller that he thought he'd bully me down, and so he mou't, if it hadn't b'en for Mattie. I seen her; for I come on 'em at a public garden, where they was a-sittin' together at a table. I kep' on a-drawin', and he waited till I got the weepin' a'most cocked, when he let me have it. Boy, I was the one got it, that time. He knocked me stiff. There I lay, on the ground, afore him that I'd thought to kill, as weak as a baby, and him a-lookin' down at me, with a smile on his face as he said: 'Don't you think of tryin' to git the drop on me, my friend. I come from a place where they shoot on sight, as a regular t'ing.' Then he turns away, and the p'lice takes us both. I had to be sent to the hospital, and he was tried fur the shootin', but the jury acquitted him at once, 'cause they said he'd acted in self-defense. I couldn't blame 'em. I warn't there, to say nothen. I had got to the end of my money, and couldn't git a lawyer. *They* didn't know what the cause was, and if they had, it wouldn't have made no difference. They'd only have laughed at me, like the rest did. When I got well of the hurt he give me, I was the man was put in prison, for what they called felonious assault. I couldn't deny I'd done it, and I hadn't no money for lawyers. Tom, the end of it all was that, I was put inter the penitentiary, fur ten years, fur tryin' to shoot the man that had destroyed my home. I come outer prison a changed man, sir. I had money, for they worked the convicts on contract, and give 'em the over time in money, so they might have a chance. When I come out I had three hundred dollars, and I come here to Texas."

"And what made you come here, of all places in the world?" asked Tom curiously.

"To be alone, boy," was the gloomy reply. "I'd hear'd stories about the prairies, and how a man could live on nothing and save money, if he come here. When I come here, it were arter the war, when everything was given up to politics and the Ku Klux Klan. They spotted me as a Yank at on'st, and hunted me outer Galveston. I went out inter the western part of the State, and they foller'd me, till they left me here, and here I've staid, ever since. I bought the claim, when there warn't a white man in the county, and made my livin' a-huntin' Mavericks. It don't take any capital, and the beasts is sold easy to the Injuns, though a man's allers in doubt whether the darned skunks won't end in scalpin' him fur fun."

"And have you never thought of going back to civilization?" asked Tom.

Old Cross-Eye shook his head.

"Why should I? If I had all the money in the world, it would only call folks to stare at me, wuss'n they do. Out here, no one knows me, nor what blasted my life. And out here, if ever I meet that man, I shall be able to square accounts with him."

"You mean Tomlinson?"

Old Cross-Eye nodded silently.

"Did you know that there was a desperado of that very name, in this county, and that he is in the pay of the cattle company?" asked Tom.

Old Cross-Eye turned to him, with a strange look.

"Do I know that *he's* here? No, he ain't. I've heern of the man *you* mean, though I never seen him. But he can't be the same man."

"Why not?"

"This Tomlinson, as far as I kin hear, is a young feller, not more'n twenty-five or so. The man I knowned, was that, when I knowned him, and he must be fifty or more now. Ye furgit that's twenty-two years ago now, boy. A man changes a good deal in twenty two years."

"Well, whoever he may be, he's pretty badly hurt now," replied Tom; and then he recounted the way in which he had met Tomlinson, wounded, before the door of the Collingsworth Ranch, and how he had attended to him.

Old Cross Eye listened, questioned him closely as to the affair, and, when he had finished, observed thoughtfully:

"That company means business, and's come to stay. They had a big muster of men, you say, with 'em?"

"Yes. There was a tall, English-looking man at the head of them, and nearly thirty men behind him."

"Then they're goin' to keep the land they claim, and the ranchers will have to fight 'em, if they want to git to water. Lucky we're out of the road of all this quarrelin', Tom. We hain't got so much stock as some of 'em, but what we have's safe. It won't starve to death or die of thirst. Tom Field, I tell ye what it is: you an' me, we're the men that's got to settle this thing for the rest of 'em."

"Well?" echoed Tom, amazedly. "Why, how can that be?"

"Because we're the only men that will have any water for our stock, and the rest'll want us to help them. You'll see it afore long. They've kep' away from me, 'cause I'm a Maverick-Hunter, and they've looked down on you 'cause you wouldn't fight; but we two's the men that'll have to settle this thing, and you mark my words."

"But how are we to be drawn in?" asked Tom.

"Don't know now, but it's a-comin'. You've got to Parna to shoot, boy. The time's a-comin' when they won't be content with pickin' on ye; but they'll shoot at ye, and either you've got to shoot back, or ye've got to be snuffed out like a darned coyote."

There was a singular light in Tom's eye, as he said:

"I began to think I was a coward, Jake, at one time; but I have found out different this trip."

"And how did ye find it, boy?" asked the old man, with an air of some interest.

"Well, Limp Balstop pulled on me, and was going to shoot, while I was unarmed."

"Yes, and what did ye do?"

"Told him to shoot away, and he didn't do it."

"Why not?"

"Hank the Nailer interfered."

"But what has that to do with you bein' a coward, boy?"

"Simply this, that I didn't feel a single tremor, though I thought he was going to shoot. I dared him to do it."

"And he didn't?"

"No. I think he would, if Hank had not got between us at that moment."

"And if he had, where would you have b'en? Boy, it's time ye was l'arnin' how to shoot. The next time ye meet that man he'll shoot, and you'll have to shoot back, or die in yer boots."

Tom sighed slightly, as he said:

"Perhaps that might be the best end for me. This life is not worth living, so that a man need cling to it. A poor man has no chance in the world, nowadays. It is all very well out here, but we cannot live here forever."

Old Cross-Eye put out his hand to touch the other, as he said:

"Look here, boy; you and me's knowned each other long enough to tell what we thinks. You're sweet on one of the judge's gals. Which is it? The quiet one or the other?"

Tom colored so deeply that there was no denying the surmise of the old man.

"Never mind which," he said, in a low tone. "I've no more chance of gettin' her now than I have of going to the moon."

"Mebbe ye have and mebbe ye haven't," responded Old Cross-Eye, quietly. "I've noticed that ye warn't happy out here, and I've put it to that all the time. Why d'ye say ye hain't no chance? Has anything happened that was different to before?"

"Yes," said Tom, in a low tone. "She saw me when those brutes insulted me, and I know she must have scorned me. She went out of the room when I first came in to help her father—that is, she would have gone, if her sister had not told her I was there as the assistant of Dr. Horsford. She showed, in every way she could, that she scorned me. I wish I had never seen her, Jake."

Old Cross-Eye shook his head.

"There's a many men in the world says that about gals, boy, but it don't do 'em no good. The gal's like all the Texas gals: she thinks a man's got to shoot, if he's threatened, and she can't make out how a man kin be peaceable without bein' a coward. I told ye before, and I tell ye again, if ye want to stay in Texas ye've got to l'arn to shoot."

Tom Field rose up, with an air of new resolution.

"I'll do it, Jake. I'll begin to-morrow morning."

#### CHAPTER XV.

##### TOMLINSON'S MISSION.

THE HONORABLE GEORGE BERKELEY was standing at the door of the log palace that had been raised by the cattle company, listening to the reports of several men, who had ridden in from the range, and were telling him what had happened during the night.

It was nearly a month after the shooting of Tomlinson, and the desperado was already up and able to sit in a chair, though he had by no means recovered his strength. Tomlinson was reclining on the broad piazza of the house for the first time since his convalescence, listening to what was going on. The cattle company had stocked their range, and the efforts of the neighboring ranchers to procure a reversal of the land-grant that had wrought them so much trouble, had been in vain.

The judge had been to Austin and tried to get an injunction against the erection of the obnoxious fence, that cut them all off from the water, but had been confronted by a regular deed from the State, of all the land claimed by the company, and had been advised to treat with the company for the right of way to the water.

The ranchers had held indignation meetings, but their indignation was wasted on the company, which had its men on the ground, and had them all armed. The wire fence remained up, and the company would do no more than offer to give the ranchers a right of way to the river, by erecting gates in the fence, and charging a heavy price for the privilege.

The necessities of the smaller proprietors compelled them to accede to the terms for the time; but the feeling that the snatch of the company had engendered, remained, and grew more bitter every day.

It was in these circumstances that Berkeley was receiving the reports of the patrols of the night.

The herds that the company had imported were all right, but the patrols reported that they had surprised a number of men the night before near the line of the fence, and that they had ridden away when they were approached, giving no clew to what were their designs.

Berkeley questioned them closely, but could get no further information. The men had no idea what the strange night-riders could want.

The Englishman, after a little consideration, told them to be ready to have a ride again that night, and that he would be with them. Then he dismissed them, and said to Tomlinson:

"I wonder what the beggars can mean?"

The convalescent desperado smiled.

"Reckon they're a goin' to cut the fence, Cap. It's allers b'en a mystery to me they didn't do afore."

"Cut the fence!" echoed Berkeley. "Why if I caught the duffers at that, I'd give them all they wanted in the way of shooting. If it comes to that sort of thing, you know two can play at that game."

Tomlinson nodded, and sighed as he remarked:

"It's a darned pity I can't be into the muss, Cap. I'd like it fust rate; but I ain't strong enough to straddle a boss, and sha'n't be fur a month, yet. It's darned strange how a little thing like a pistol bullet lays a man out, when ye put it in the right place. But if the cusses tries to 'tack the ranch, I b'lieve I c'u'd shoot as well as ever, yet."

Berkeley looked at him thoughtfully as he said:

"Perhaps it may come to that in the end. How many men do you suppose they have in this county that could be counted on to support these ranchers?"

Tomlinson considered for awhile, ere he answered:

"I dunno. Reckon abaout sixty, if they brought every cowboy in the caounty together. But that would take a great deal of trouble. There was a man they called Field—the one that doctored me the fust time. He was allers bein' picked on by the rest of 'em 'cause he was poor. I wonder what's come of him? He might be on our side if we was to get at him right."

"What makes you think so?" asked Berkeley, who was beginning to see that his position was by no means a bed of roses.

"Because I heerd from one of the boys that Deaf Smith and Limp Balstop had b'en a-givin' him sass no man ought to stand the day of our muss, Cap, and there was suthin' in that cuss, and the way he come into the thick of our

men, that showed me he warn't no coward. I know a man when I see him, and the boys says how he showed the white feather with Limpie and Deaf Smith, but when I come to size it up, I find it's only what Limpie and Deaffy says theirselves. I ha'n't b'en in Texas this ten year, Cap, not to know that one story's good till the other's told. Thar was one man in their crowd as I know wouldn't lie, and only one."

"And who was this paragon of truth?"

"Hank the Nailer. He's the only man in the caounty I'd give in to on shootin' and he kin jest beat the hull hide off any man I ever see'd at that. He were with Deaf Smith that day I hear, and he don't say the young feller showed the white feather at all."

Berkeley smiled as he asked:

"What does he say?"

"He says the young feller was unarmed, and they had their pistols; so there warn't no credit fur them in pickin' on him."

Berkeley scowled as he observed:

"It's a confounded mean way you Texans have of bullying unarmed men, as if the country was in a state of war all the time. I don't think there is a really plucky man among your whole crowd."

Tomlinson flushed slightly, as he asked:

"What d'ye mean by that, Cap? I didn't think ye had much cause to say that, arter the way we stuck by ye in yer musses."

Berkeley explained:

"I don't mean anything personal against you or the rest of the boys; but I do mean this, that you Texans don't seem to have the pluck that stands up against any odds, for the sake of the fight. As long as you have things your own way it's all right; but as soon as the boot's on the other foot, then you are all ready to run, if you have a chance."

Tomlinson smiled slightly.

"Reckon ye ain't fur wrong, Cap. We ain't like the Britishers, that come up to the works at Bunker Hill and New Orleans, and got slaughtered fur their pains, like a passel of darned fools. If we git inter a corner, where there's no runnin', then you'll see the Texans fight like a streak; but if there ain't no use in fightin', we'll run every time, till we do see a chance. That's so, Cap."

"And now the question arises, if we have to fight the whole county, how many men we can count on for our side?" asked Berkeley, thoughtfully. "This Field; can he be got at, do you think?"

"Reckon so. The Collingsworth men knows him."

"Then the sooner we get him the better, if you think him a good man."

Berkeley called to one of the men who was kept in attendance on the office all the time, ready to ride any distance with messages, and asked him if he knew a man of the name of Field.

"Used ter be a cowboy on the jedge's ranch," added Tomlinson, as he lay back in his chair. "If you don't know where he is, ax the Collingsworth men."

The cowboy addressed did not know the name; had never heard it; but the Collingsworth Ranch men were not far away from the line of the cattle company's fence, and he went off to find one of them and report.

He came back in half an hour, with the news that "the man had left the Collingsworth Ranch, and the boys thought he had gone up to Old Cross-Eye's ranch."

"And who the deuce is Old Cross-Eye?" asked Berkeley testily. "You have the queerest ways in Texas. You give every one some confounded nasty name. I suppose you've got something of the sort for me by this time."

Tomlinson smiled as he lay back in his chair.

"Reckon we have, Cap. Heerd the boys talkin' of Captain Jinks the other day. No idea who they meant, of course; but you kin put two and two together. But about this Old Cross-Eye. I've neerd of him afore, though I never seen him. They say he's a Maverick-Hunter."

"What's that?"

"A man as hunts Mavericks fur a livin', Cap. He has a ranch somewhere up by the Injun country, and they hate him like p'izen down hyar. If this Field has j'ined him, there's two we kin count on, if we treat 'em right. The ranchers hate 'em both, and we kin make friends of 'em, if we work the racket right."

Berkeley looked at his late chief constable, thoughtfully, saying:

"It's a pity you can't go there, and see them yourself. You could tell what was the prospect."

Tomlinson rose to his feet from the chair in which he had been reclining, and said:

"If ye'd wait a day or two, and let me go easy, so as not to git tired aout, I could do it, I reckon, Cap. I ain't fit fur much hyar, now, and out that I mou'n get better quick. Doctors is all very well; but give me the Injuns, if a man's sick. They b'lieve in fresh air and lots of it, and they're right. I'm ready to go tomorrow, Cap, if so be thar's no chance of there bein' a muss in the mean time."

"If there is, I can take care of it," said Berkeley, rather stiffly. "I may not be a

Texan born, Tomlinson; but I think I know a thing or two, and I can get on without you, or anybody else."

Tomlinson bit his lips; for he did not like the rebuke that was implied, when he had really meant to be good-natured in what he said.

"Waal, Cap, whenever ye want me to go, say the word, and I'm ready, if you let it go till to-morrer. I must have one of the boys with me, though, in case I fall off on the road. I ain't, so to say, strong yet, Cap, and I might get into a muss with the broncho, that would start the bleedin' again. I don't reckon it *would*, ye know; but it *might*. If ye'd let me have one of the boys with me, I'd like it, sir."

"You can take any one you wish, Tomlinson," said the English overseer, kindly. "You are an exception to all the Texans I ever met. You have the true pluck that stays when it's in a tight place, and never shows the white feather. I depend on you more than you are aware."

Tomlinson flushed with pleasure as he heard the words of praise, for Berkeley was very chary of them, and they were all the more appreciated, when he did give utterance to them.

"I'll do the best I kin, cap'n," he said, and with that he went up to his room, walking steadily and looking like anything in the world but a man who had been shot through the lungs, a month before. The dry climate and open air life of Texas does wonders in the way of curing gunshot wounds, as the desperado had experienced more than once before, for he had had wounds—nearly as serious, too—at different times in his wild career, when he had fallen the victim to an enemy's bullet.

The very next morning, accompanied by a friend of his own persuasion, who rejoiced in the name of "Long Charley" Seymour, from his stature, he rode away from the cattle company's ranch, and took his way toward the borders of the Indian Territory, where Old Cross-Eye was supposed to live.

The time was coming when every man that could be mustered on either side would be needed, and Tomlinson had an idea that he would be able to get the two strangers, who lived so far away and in such a dangerous country, that they must necessarily be men who would prove useful in a free fight.

He and Long Charley rode slowly all day, and went into camp in the evening; for Tomlinson was not yet up to a long and rapid ride. If he had been in his usual health, he could have done the eighty miles that were supposed to divide the cattle company's ranch from that of the Maverick-Hunters, in one day; for the broncho was capable of thefeat; but, as it was, a bare thirty was all he could compass, and it was not till noon of the third day after he had left the ranch that he came into a wild country, and said to Charley:

"Reckon we must be gittin' nigh the place, now, Charley. The boys said it war by a crick that flows inter the Blue Fork, and yonner's a line of timmer that looks mighty like it."

He had, in fact, come very close to the place, and had almost entered the domain where roamed the cattle of the Maverick-Hunters, which were all in the corral for safety.

As they came near the place they heard the sound of shots in rapid succession, and Charley began to look to his pistols, while Tomlinson checked his horse, for he felt weak and nervous; but as the shots did not increase in number, but kept at about the same pitch, they rode on, curious to find what the trouble was all about.

#### CHAPTER XVI.

##### WILDERNESS WELCOME.

As the two desperadoes advanced, the sound of shots stopped at intervals, and were renewed again till Charley said:

"Sounds as if some feller was a-practicin'; don't it? Nice quiet place to practice, too."

Tomlinson made no answer, and the two pressed on, till they came to the edge of the *motte* of timber, which formed one side of Old Cross-Eye's fortification, when they saw, from the way in which the path had been cut, that they had come to the entrance of the place and would be able to find out the cause of the shooting.

It was not without a little quickening of the pulse that the two men, desperadoes as they were, entered the path and advanced toward the jacal of the old Maverick-Hunter. They had never been there before, and did not know what was going on behind the screen of woods that surrounded them, except that there was a good deal of firing, and that they had better be careful.

At last they came to the hut, where the two friends lived, and saw that it was empty, while the sound of the shots continued, from some place beyond them.

They pushed along the path till they came to the rustic gate, constructed by the ingenuity of Old Cross-Eye, in the side of the wattle-work that made the edge of the *motte* impervious to the assaults of the cattle, and saw into the corral itself.

They were surprised at the number of cattle

that were feeding about, and Tomlinson told his companion:

"By Jiminy, these fellers have a stake hyar, and no mistake. This ain't no Maverick-Hunter's place. Thar must be more'n two thousand head in hyar. Look how thar crowded."

In fact, the cattle were very much crowded, for the simple reason that Old Cross-Eye had kept in all the wilder ones and allowed them to eat up the pasture in the corral, on purpose to get them tamed by the hunger that must come, sooner or later.

His success as a Maverick-Hunter had arisen not so much from his getting the animals as from his tact and skill in taming them after he had got them.

He had a herd of tame cattle in with them from the first, so tame that they would allow him and his partner to go among them freely.

The wild cattle, whom nothing escaped in the field of their vision, saw this and noted it.

Day after day, as the herbage grew less and less plentiful, the cattle that were always there were fed with grass, cut from the wild prairie outside the corral; and the only reason the others did not get the same was that they were too wild and timid to come for it.

But, day by day, as they grew more hungry and used to the confinement of the corral, they grew tamer; and by the time that Tomlinson and his friend came to see them, they were almost ready to be turned out on the range.

The wild herd of Mavericks, that had shaken their horns so fiercely at the cowboys when they first burst out of the *motte* at the Collingsworth round-up, had been changed to a herd of cattle that grazed peacefully within sight of the two men, to whose presence they were accustomed, and actually let them come among them on foot, where half the cattle in Texas would have stampeded at the mere sight of a man on foot, in the most settled parts of the country.

But Tomlinson and his friend saw that these cattle were not only tame, but that they were all of very fine breeds. They were not the usual "long-horn," with his scraggy carcass and long legs, his rough hide and weapons of offense the principal part of his make-up.

These were cattle who seemed as if they had some very good blood in them of the imported stock.

More than one looked as if he had come of the genuine Durham strain, especially the bulls; and the cows had calves with them, and grazed quietly about.

"That's good stock," said Long Charley, gravely, as he looked at the herd. "Hope it ain't all stole."

Tomlinson did not answer him; for, at that moment, the sound of the shots was heard again, and it came from so close by that they knew the marksman was within a hundred yards at the most.

There were six shots in rapid succession, and then came a pause of half a second or so, when the next six came, just as rapidly as before, followed by the voice of a man crying out:

"Well done, Tom! Ef you kin do that, all the time, you're fit to shoot fur a man's life!"

"I think I can," replied a second voice. "But I'm out of cartridges now, Jake. Let's go back to the house."

And a few minutes later a young man came in sight, round the edge of the path, dressed in the buckskin suit of a plainsman, and carrying dangling in his hands a pair of long navy revolvers.

He was whistling as he came, and did not see the two visitors till he was almost on them, when he started slightly, but a moment later came forward to them, saying:

"Gentlemen, you are welcome. I hope you have not ridden far to-day, for we have nothing but grass to offer your horses. For yourselves, the best we can do is venison; but that is good, I can assure you."

Tomlinson glanced at him, and his tone was that of a very polite man, as he said:

"I believe you are Doctor Field: are you not? You took care of me, a little time ago, when I was nigh gone." Tom Field glanced back at him, and recognized him at once.

His own tone was rather cold as he said:

"Very glad to see you sir, I am sure. Pray walk into the cabin."

He led the way into the jacal, and the two travelers dismounted and turned their horses into the prairie, outside the *motte*, with their trail-ropes dangling, so that they could be caught easily.

Then they walked into the jacal, and found their young host had set out a dinner fit for a king, as far as game was concerned; for he had not only venison, but wild ducks and birds of several different sorts, some of them made into a pie of huge dimensions, the rest cold-roasted.

A little fire had been lighted in the jacal, and an old man was squatting over it, attending to the coffee, which was simmering away at a great rate, its savory fumes filling the jacal with its aroma.

As the guests came in, the old man looked

quickly up, and nodded slightly: then turned again to his task, while the young man said courteously:

"Now, gentlemen, fall to, as soon as you like. This is Mr. Mitchell, my partner. Mr. Tomlinson, your friend's name is—?"

"Charley Seymour. Folks call me Charley, mostly," said that individual himself, as he curled his long limbs under him; for there was no table, and the sitting accommodations were confined to the skulls of cattle. "By Jiminy, stranger, I tell ye what it is. You're jest a rip-tearer at a dinner on the perarie. There's only one thing I don't see, and that's the real stuff to take away the chills."

Tom Field smiled as he answered:

"I suppose you mean the whisky. I am sorry we have none in the hut. My friend and I are what they call temperance people, and we don't indulge in whisky at all. We find that we get on, just as well, without it."

Tomlinson nodded his head gravely, as he observed:

"Dunno but what ye're right, Doc. It's bad for the narves. I've seed the time when it knocked my hand all to blazes, when I wanted to do my prettiest at a match. A cold water man keeps the same all the time. You're better without it, Charley."

Long Charley sighed deeply as he took the coffee-pot and drank a long draught.

"I s'pose it's all right," he said, as he put it down; "but it ain't the real fire-water stuff that burns ye all the way."

Then he set to work at his dinner with an appetite that his ride had sharpened, and when the meal was over the old man, who had maintained a stolid silence all the time, suddenly said to Tomlinson, at whom he had been glancing in a strange way several times during the meal:

"Excuse me, stranger; but whar was you raised?"

Tomlinson looked at him as if he hardly understood, and Old Cross-Eye continued:

"No offense; but you're as like a man I on'st knew, as you can stare; and mebbe you knowed him?"

"What was his name?" asked Tomlinson.

"His name were Tomlinson, and he came from New York," said Old Cross-Eye, with a certain tightening of the lips that showed how the memory affected him.

Tom Field glanced at him quickly, but the old man showed no further sign of emotion, and Tomlinson said, with some surprise:

"Reckon that must have been my father, sir. That was whar he come from; but he's b'en dead these ten year."

"And your mother?" asked the old man in a lower tone. "Excuse me, sir, but what was her Christian name? I have a reason in axin'—you'll excuse an old man's curiosity."

The gambler smiled, for he was a good-natured fellow at bottom, and he saw in the old recluse only a queer old man, who had the crookedest eyes he had ever seen in a head.

"Her name was Martha," he answered—"at least father allers called her Mattie. But she died afore he did. I'm what they call a lonely orphan, gentlemen, and I've took keer of myself ever since I was knee high to a 'skeeter."

Old Cross-Eye had watched him eagerly as he spoke, and when he had finished the old man heaved a slight sigh, as he said:

"Thankee, sir. That's what I wanted to know. Reckon I was mistaken."

Then he subsided into silence again, and the gambler turned to Field, to say:

"We heard you shootin' as we came up. Practicin', I suppose. Air you much on the shoot?"

Field smiled.

"A month ago I had never fired a pistol; but I took it into my head that, if other men could do it, I could. What do you say to a little match?"

Long Charley almost bounded from his seat, as he ejaculated:

"Stranger, that's my best holt. I'll shoot ye fur the stamps, any time ye say. And as fur Jack, here, if he ain't shook too much fur his work, he kin jest give me p'ints and discount me at it."

Old Cross Eye said quietly:

"How many balls can you put into the same hole, stranger, ef it ain't a oncivil question?"

Long Charley smiled, as he answered:

"Depends on the size of the hole stranger, and the distance. What do you fire at, hyar?"

Tom Field rose.

"Come and see," was all he said, and he led the way to the corral, where the cattle were mostly lying down in the grass, in the heat of the afternoon, chewing the cud.

Tomlinson and his friend, full of interest, followed, and came to the place whence had come the firing which they had heard when they first came in.

A large live oak stood by itself at a little distance from the edge of the corral, and on it a space of about three feet square had been blazed, with an ax, so as to make a white panel.

In the midst of this panel a long spike had been driven into the tree, and a dark blotch appeared all round the base of the spike.

Tom led the way up to the tree, and showed them that the dark blotch was the effect of a number of bullets that had been splintered on the summit of the spike, the fragments of which had made the marks on the tree. The circumference of the blotch was about two inches, and there was not a single well-defined hole in the whole space.

"There," said Tom quietly. "I don't call myself much of a shot, yet; but I hope to become so, in time. You, I presume, Mr. Tomlinson, can beat that all to pieces; for you are famous, all over Texas, as the best quick shot in the State. All I profess to do is to hold the pistol straight, and hit the same place every time. You see, if the ball misses the head of the spike, there must be a hole in the wood. I try not to make one. These are what I shoot with."

He showed the big revolvers that they had seen him carrying into the jacal. They were of the ordinary pattern of Colt's patent, and carried a large bullet in a cartridge.

Tomlinson looked at the tree in silence for some time, before he said anything; and then he asked:

"Did you make that shooting, as fast as you could pull the triggers, sir?"

"Oh, certainly," answered Tom. "It is quick cover that I am trying to get at."

#### CHAPTER XVII.

##### THE SHOOTING-MATCH.

Tomlinson listened to what he had said, and answered him with great gravity:

"If you can do that for money, sir, you can beat half the men in Texas, and have very little to do to beat the other half."

"If I can do it for money? You mean on a bet? I am sorry to say I don't bet, sir," responded Tom, civilly.

Tomlinson shook his head.

"Tain't no test to shoot all alone like this. The real test is when ye've got yer money on it. Look hyar. I'll bet ye a hundred dollars, if ye've got it, ye can't do that, afore my face, and me lookin' on."

As he spoke the desperado pulled out a bag from his belt and showed the gleam of gold, the only coin of the Texan, who does not believe in paper.

"I dar' you to cover that," he said. "Thar's two hundred dollars in that bag, and if you've got one hundred, I'll bet this to it, you can't send twelve shots into that spike, without stoppin', or makin' a hole alongside the spike."

Tom shook his head.

"I have told you I don't bet," he said.

Tomlinson smiled.

"You're a deep one, stranger. Well, then, I'll bet ye I kin do it, and you can't. Is that fa'r? I want to make a bet with ye, anyhow."

"And that is just what you cannot do!" said Tom, with the same smile as before. "But I tell you what I can do with you, if you wish."

"And what is that?" asked the gambler, with all the eagerness of his class to get a bet.

"We can make a little prize and shoot for it," the young man suggested.

In a moment the gambler had taken from his pocket a very handsome watch, set with diamonds, with a heavy gold chain. It was just the sort of a thing that a man of his class puts his money into, in time of high water, and sends to his uncle in time of need.

"Thar," he said. "Cover that if ye dar'. That watch cost five hunner dollars. Hev you got anything you kin put up that's as good as that for a prize? If ye have, stranger, trot her out."

Tom smiled.

"I never had such a handsome watch as that in all my life; but I have something that I value as much. I will offer to the winner of the match a good horse."

Tomlinson looked round eagerly.

"Whar is he? What's his breed?"

"Only a broncho," replied Tom, with a laugh, "but he's a paint broncho, and as pretty as a picture. If you are so generous as to put up that watch as the prize of the best marksman of three, I can only do my best."

Tomlinson put the watch back in his pocket, as he said, with the driest of sniffs:

"Thankee for nothen, young feller. I don't put that watch ag'in' a paint broncho. I kin buy all I want of them, fur fifty dollars. I'll put up fifty ag'in' your paint, if he's a good hoss. Charley, what'll you put up?"

Long Charley hesitated; for he knew that he was no match for the gambler by his side, and he did not know what the other could do.

So he hedged, by offering to put up twenty as his share, for he had not the same chance as the rest, and it was not fair for the best shot to take all. So it was arranged that the three prizes were to be distributed as follows:

The paint broncho was to be the first prize; the fifty dollars was to go to the second best man; and the third man was to get twenty dollars.

That settled, the three men unloaded their pistols, changed the cartridges and set to cleaning the barrels, in preparation for the match.

Tomlinson showed the regular desperado's

arms, all glittering with gold chasing, and ivory butts; Long Charley had a pair of self-cockers, which, while not as "fancy" as those of Tomlinson, had the merit that they were the easiest pulling pair the gambler had ever handled.

Field had only the common pistols he had bought at Satanstown, with their plain stocks and dingy barrels, that showed frequent usage, from the way in which the blueing had been worn off.

The distance to the spike was measured from a spot, which showed, by the fact of the grass being worn away, that it had been frequently used before. It was just twenty-four yards from the spike.

"Now, young feller, go ahead, and show what ye kin do," said Tomlinson, with something very like a sneer, for he was nettled at the idea that any one could do such shooting as the spike showed.

Tom Field bowed and raised his pistol.

"ONE—TWO—THREE—FOUR—FIVE—SIX."

The shots were fired, as rapidly as he could pull the triggers and cock again with one hand, and the whole six shots did not occupy quite as many seconds in their delivery.

Every one hit the spike, for they could see the spattering of the bullets as they were shattered on the head, and scattered all over the white panel of the tree.

Tomlinson watched the firing with a face that was growing anxious as he looked. This young man, who had only begun to shoot a month before, was making such practice that he felt he could not beat it, and doubted whether he could equal it.

He raised his own pistol, however, and fired at the spike with such good aim that he never missed the head, and made no hole in the white panel.

But to do it he was obliged to take a little more time, and the delivery of the shots occupied nearly ten seconds.

As he turned away from the tree, he said pettishly:

"I oughtn't to be shootin' at all to-day. I ain't what I used to be. This confounded wound has bruk' up my narves all to pieces. Go ahead, Charley."

Charley came in with his self-cockers and fired over his left elbow, using it as a rest, so that he managed to do the same as the rest, and the white panel round the spike was still unscarred by any hole from a bullet.

Tom Field laughed, as he said:

"No decision yet, gentlemen. How shall we settle this?"

"Try the wheel and fire business," said Tomlinson, sharply. "This stand up and aim ain't no test. Turn yer back to the tree and walk away from it to the scratch; then wheel and fire at the word. That's what shows whether a man's got the nerve or not."

"Please show me what you mean," said Tom, modestly.

Tomlinson marched to the tree; set his back against it, and then marched out again to the spot where he had stood when he shot before. As soon as he got there, he wheeled round and fired at the spike.

A little hole appeared by the side of the iron, but it was within half an inch, and he said, as he pointed to it:

"Let's see you beat that, young feller."

"I'm afraid I can't," said Tom, modestly. "I never practiced that way."

"Then own up you're beat and give us the paint broncho," said Tomlinson, roughly; for he could be as rude as any one if he chose.

Tom drew himself up, as he answered:

"Certainly, I will, when you have won it. I will try your way of shooting. I never saw it before."

He walked slowly up to the tree, and set his back against it; then wheeled again and came back.

When he finally fired, he hit the tree, but not the spike, and Tomlinson's face cleared up, as he said:

"That's a squar' beat, young feller. The hole ain't less'n three inches away from the spike. You're beat. Come, Charley, let's see who takes the fust prize, you or me; and who's nummer three."

Charley tried his luck, with the result that he put his shot into the tree about an inch and a half from the spike, and inside the line where Tom Field's shot had pierced the wood.

He was very exultant over his victory, and swore roundly that "he could whip the hull skin off any man in Texas, bar Jack Tomlinson, at shootin'."

Tom Field took his defeat with the same quiet calmness that had distinguished him from the first, and gave the paint broncho to Tomlinson at once.

It turned out to be a very handsome little animal, spotted and speckled like a carriage dog, one of the kind that Mexican hidalgos are so proud of, when they get them, to carouse up and down the Alameda.

For Tomlinson, who was a regular dandy, it was a genuine prize, and when he had tried the horse he was more than satisfied. He was in such a good humor that he brought up the sub-

ject of his visit, and told the two men in the lonely ranch that he had a business proposition to make.

"What is it?" asked Old Cross-Eye, as he exchanged glances with Field.

Tomlinson began at once.

"I come from the cattle company that's got the big grant, and they've hired us men for special constables, 'cause they think we kin fight. Waal, the matter is this: Whatli you fellers take to come down and jine forces with us; to be deputy sheriffs, and guard the cattle company's place from those ranchers that's so proud they won't let no man live if he ain't got as much stock as they have. That's what's the matter."

Old Cross-Eye, with a shrewdness that showed better than anything else the part of the Union he came from, inquired:

"And what does the company offer, sir?"

"Hundred dollars a month and found as long as they keep ye," was Tomlinson's reply. "I don't wanter fool ye, boys; but there's lots of pickin's besides. The company wants all sorts of places filled, that they're sure to fill from the men that serves them best. The work ain't nothen, and the only thing is the danger of the ranchers. One of ye, I know, stood a deal of pickin' on from them, and he won't, mebbe, be sorry to get squar' with 'em all. This is the best way in the world. If they wants a muss, the company's orders is to give 'em all they want. The company comes to stay, and the sooner these lummixes finds it aout, the better it will be for us all. Now, boys, what d'ye say?"

Tom Field was silent; but Old Cross-Eye answered:

"Seems to me this offer wants a little time to think over, stranger. Ye see; we're all alone out here, and we'd have to leave the stock."

"No, ye wouldn't," interrupted Tomlinson. "I've got full power to say and do what I please. Ye kin bring daown all the herd you've got, and jine them to our, or we'll buy every beast ye've got, if they're all as good as them I seen in the corral. Ye kin touch the boodle, right off, for all ye have, and get good pay besides. Ain't that a squar' offer?"

Old Cross-Eye wavered.

"Ye'd take *all* the stock we got?"

"Sart'in," said Tomlinson, stoutly.

"At how much?" asked the old man keenly.

"At market price for beef on the huff," returned the gambler readily.

Old Cross-Eye brought down his hand with a loud slap on his knee.

"I take the offer. Bring me a letter from a man who'll stand good fur it; and we'll come when you want us."

Tom Field seemed about to say something, but the old man checked him with a look, and he subsided, while Tomlinson asked:

"What kinder letter d'ye want?"

"From yer head man, whoever he is," was the reply. "I ain't wantin' to be fooled, ye know, stranger. This ranch and them cattle b'long to me, and this young man's only my pardner. He don't know nothen about biz. You go and bring me the stamps for them, and it'll be all right. They wouldn't be out of place on any range. I found 'em wild, Mavericks, and I've got 'em tamed down, so ye kin milk the cows. What more d'ye want? I'll sell, but I wanter see the money, or the man that's goin' to pay it, afore we stirs out of this."

Tomlinson rose as if he was much pleased with the result of the interview and said:

"That's no more'n reasonable. I'll see ye get the terms ye want. We'll start back at once."

#### CHAPTER XVIII.

##### THE NIGHT ATTACK.

The two visitors had gone and quiet reigned over the ranch of the Maverick-Hunters again. Tomlinson and Long Charley had gone away, with the promise of returning in three days, at the furthest, if the wounded gambler was able to ride so fast; and it was understood that, when he came back, he would be provided with funds to pay for the herd, on the sole condition that the two men would accompany him to the cattle company's ranch.

When the two gamblers had gone, Field asked his partner, in some surprise:

"What made you promise to go with them, when I am sure that your sympathy is with the ranchers of the county. These land-grabbers ought not to be supported by us, of all men."

Old Cross-Eye nodded his head wisely.

"Tom, boy, I were born afore you was, and I've see'd a heap more of the world than you have. Spose we'd told those fellers that we wouldn't come; what would they have done?"

"Gone away, of course."

"Not a bit of it. They come here, sp'ilin' fur a chance to fight, if they was refused, and they'd ha' plugged you, sure as fate, and me, too."

Tom Field shook his head rather proudly.

"Not now, Jake. You forget that I can shoot, as well as they can, nearly."

"Ay, ay, that's jest it, boy—nearly, but not quite. I seen the hull match, and I seen, when ye was shootin', that, if ye'd beat them, they'd got it all laid in to shoot ye down from behind, without givin' ye a chance to defend yerself."

Ye ain't up to the tricks of these Texas desperadoes yet, Tom, and ye won't be till ye've had a deal more practice. I'm up to all their dodges, 'cause I knows 'em all, from bein' in the penitentiary, boy. Ye may thank yer stars I was there, now; for it's b'en wuth many a day to your life."

Tom was surprised at the words of the old man.

"Are you sure of what you are saying?" he asked.

"So sure that I'd got my eye on both on 'em, and I was a-lyin' down behind the chaparral, with my old carbine trained on 'em both," said Old Cross-Eye, in his cool way. "My eyes ain't as fine as some men's, but I kin see to draw a bead on a man, at thirty yards or so, with a rest, and they didn't know that. Tom, boy, ye've got to keep yer eyes skinned in Texas. Ye don't know half the devilish tricks these desperadoes is up to. I'm darned sorry they found us out. I thought we'd be left alone out here. We don't interfere with nobody, and there ain't no reason why nobody should interfere with us."

"What are you going to do, then? Do you think they will come back here?"

"Not alone, Tom. They know too much fur that. When next they come, it'll be with a gang, that they think is enough to make us come, whether we will or not. They don't intend to pay us fur our cattle at all; but to kinder press us into the service, and let us whistle fur our pay, unless we take their terms."

"Their terms? What will those be then?"

"It's my opinion that they want our cattle, because they think they're a good lot, and they'll make some excuse to save them from sending the money. They want to get our cattle on their range, and then lay claim to them."

"Lay claim to them!" echoed Tom, astonished.

"Why, we got them fairly. What claim can they have?"

Old Cross-Eye laid his hand on the other's shoulder.

"We've got the herd, Tom, and they're branded; but they know they was all Mavericks oun't, and they'll claim that they ran away from their ranch. It's a game to get us into their power, and we've got to get out of it, the best way we know how."

"And how shall we do it?" asked Tom, who looked considerably crestfallen at the words of the old man, which were spoken with an accent of conviction.

"Tom, boy, we've got to move from here, or take a fight for our property," said Old Cross-Eye slowly. "I seen it, the moment that Tomlinson came into the house. I knowed his face well. Tom, he's the son of the man ruined me, and as like him as he kin stare. I c'u'd ha' sworn it was the man hisself, when I seen him, by the fire. The same face; the same ey's; the same air as if he thought himself the best man in the world; and, from what I c'u'd see of him, he's just as bad a man as his father was, afore him. He come here for mischief, and he's got to be killed, or we won't never have no peace again."

Tom Field looked thoughtfully at the pistols with which he had been practicing, and observed:

"If I thought that, I'd shoot him down on sight, when I met him, the next time."

"It may come to that, boy; but there's something to be done first. I ain't so sorry, now, that ye made friends with the Injuns, Tom. They may be the saving of us."

Tom started, as if the idea had come to him the first time.

"The Indians? Of course. Why did we not think of them before? We can depend on them, every time."

"I dunno about that, boy, but we kin make a show with them, at all events. I don't depend on Injuns mostly; but they're better than nothen. Kin you get—say twenty or thirty of 'em—to come here and be on hand, about the time the other fellers comes?"

"Certainly I can. I'll get Wild Cat and all his band. They shall come, whenever we want them."

"Then, the quicker ye go arter them and get them, the better, boy; for it's my opinion they'll be wanted, afore the three days is up. That Long Charley Seymour, he kin ride to the ranch to-night, if he wants, and bring back the others, afore to-morrow night. Get yer friends, as quick as ye kin."

Tom Field rose and went to the corral to get his horse, remarking as he went:

"I can reach the place to-night, or before the dawn has come fairly in. But I shall not be back before sunset to-morrow, Jake."

Old Cross-Eye followed him and saw to the saddling of the horse, and the taking, by the rider, of a sufficient supply of provisions to last him till he came back, and then the old man turned to the solitary hut where he had lived so many years, and sighed slightly, as he said to himself:

"Waal, it's all over now. The time has come, and it's time the old man was out of the way."

The fact was, he had noticed something that escaped the eyes of Tom, young and sharp as they were.

Perhaps it was because his own vision was defective in some respects, that his watchfulness was the more intense, for he never allowed a thing to pass him, if it came within the ken of his crooked eyes. They could not see as far as many other men's eyes, but they had the brain of an experienced man behind them. When the two gamblers went away, he had noticed that they said very little, till they had got out of hearing of their hosts, when they engaged in very earnest talk, and as they went from the corral, turned frequently to look at the cattle, which were feeding there.

Old Cross-Eye, whose nature, originally trusting, had become morbidly suspicious from the injustice and cruelty he had suffered, immediately jumped to the conclusion that the two men meant treachery of some sort, and naturally connected it with the stealing of the cattle. He knew that his position, up at the edge of the Indian country, was one which exposed him to the constant reproach of consorting with Indians, the worst charge that can be brought against a man, out in the Western Territories, where Indians are looked on as fiends who ought to be exterminated.

He saw that the sight of the cattle had excited the cupidity of the men who had visited them, and saw also, from the expression of their faces, that they thought of coming back to steal what they could get.

Away there, where no one ever came, except Indians, a murder would be the easiest thing in the world, and the tracing of the murderers the most difficult. When he sent away Tom Field after the Indians, he did so with the full expectation that the ranch would be attacked that very night.

Why then, it may be asked, did the old man send away the young one, and remain behind himself? The answer is hard to make, but might be found in his peculiar make-up, after all the troubles he had passed through during his life.

"Better the old man should go than the young 'un," he muttered to himself, as he went into the hut. "I hain't got long to live anyway, and a few years, more or less, ain't much odds to me. If he comes back to-night, I'll have the satisfaction of havin' it out with the son, if I couldn't get square with the father. I'll wait for him, and he shan't have a chance."

The old man went to the hut where he kept all his belongings, and drew out from a corner, where it had been lying for many a year, an old carbine.

It was of the Hewey pattern, that has since been replaced by the Winchester, and he had picked it up at a sale of old material, at Galveston, just after the war, with the ammunition.

It was a magazine gun, and carried sixteen shots in the lower barrel, but was liable to get out of order, from dust and dirt getting into the magazine.

When in good state it was as good a weapon as its successor, for close work; and Old Cross-Eye had had a good deal of practice with it, in shooting deer, as they came down to drink, and at game of all sorts, before Tom Field came to him and took to shooting.

As he had said, he was a good shot, as far as he could see, with a rest, and relied on his craft to secure him from surprise, and give him a chance at his enemies, if they came back in the night, as he expected.

That they would come, he had settled in his mind, and did not go to bed at all, that night, but left the hut and went to lie in wait, in the tangled wood that bordered the place, where he could watch for the coming of the men he expected.

True to his expectation, at about the hour of midnight, when everything was at its quietest, he heard the distant tramp of horses, coming toward the *motte*, from the prairie without.

Had he not been intently on the watch, he could not have heard them; for the sound was very distant. Nevertheless it served to wake him up instantly; for he had been nodding at his post, and immediately he sat up and was all ears.

Out of his hiding-place he crept, through the path to the edge of the *motte*, where existed a side hiding-place, where he had planned to lie in ambush for any one who might come unawares.

The spot was in the edge of the wood, where the trees were closely planted, and the underbrush was thicker than ordinary.

From it he could command a view of the prairie outside, under the faint starlight, and, before long, the outlines of horsemen came between him and the dark sky.

They were not the people he had fancied, for there were six men.

For a while he thought Tom had got back with the Indians, but the first words he heard, as they reined up, showed him his mistake.

"This is the place," said one voice, in English. "Darned lucky we met you, boys! Git off yer bosses, and creep in. The young one shoots well; but if we kin rush him, he'll git skeered."

Then the men got off their horses, and the first voice said:

"Tie the horses to the trees at the edge of the timber. Don't make no more noise than ye kin help. The old cuss sleeps light."

Old Cross Eye trembled as he heard the voice, for it was that of Tomlinson, the son of the man who had injured him, so many years ago.

"Sleeps light?" he muttered to himself. "Yes, you will find he sleeps light enough to give you what your father ought to have had, years ago."

The old man tried to see the sights of his rifle in the dark, but the intervening branches prevented any accuracy of aim, and he had to wait till the men were close to him.

But he had taken his ambush for that very purpose, and the muzzle of his carbine was not three feet from the path, by which they must all come.

He saw them dismount from their horses and lead them to the trees, not twenty feet away from the place where he lay hidden.

And then came an unexpected difficulty.

As the horses were brought there, they began to snuff and snort, as they scented the old man's body through the bushes, and the wary desperado noted the fact at once, with the caution of their life.

"What's the matter with the horses?" asked one man suspiciously.

Then they all stood, with their hands on their weapons, staring into the thicket, and watching the actions of the horses, as well as they could, in the darkness.

Old Cross Eye drew up his rifle, and waited silently.

#### CHAPTER XIX.

##### OLD CROSS-EYE SEES STRAIGHT.

THE men outside the *motte* stood there as much as two minutes, listening, when the voice of Tomlinson was heard again, saying:

"Reckon it's nothin' but a snake, or su'thin' o' the sort, boys. Go ahead, but don't make no noise. If they jump out, be ready to give it to 'em."

Then the men filed into the path leading to the *motte*, and thence to the ranch of the Maverick-Hunter, each man with a pistol, drawn and cocked, in his hand.

Old Cross-Eye saw the dark figures as they stole past him, not three feet away, headed by Tomlinson, whom he recognized by his dress; for the desperado wore a Mexican rig, while the rest had buckskin garments.

He never fired till the last man had entered the path, and he was sure that he had six enemies to contend with.

Then he suddenly rose up, as the last man went past him, and let him have the contents of his carbine in the back.

He had taken care to get on the right side of the path leading from the ranch-house, and had the advantage of his left shoulder to the enemy when he rose. The first man dropped instantly, and the others wheeled round, not knowing from whence came the attack; for the first man had been shot dead as a stone. Before they had recovered from the confusion of the unlooked-for assault, the old man had fired a second shot and dropped another of his enemies, but this time the flash of his rifle betrayed him, and the report was drowned in the sound of a regular volley of pistol-shots, sent at the place where he was standing.

The desperadoes came rushing back and fired into the darkness, tearing at the bushes to get into the wood, so as to come to close quarters with the stranger.

Old Cross Eye, who had made his ambush for the very purpose it now filled, was not hurt by the first volley, for the reason that his body was sheltered by the trunk of a sapling, and that another had been trained to stand by the first, so as to make a perfect shade.

He could see them distinctly, as they tore at the saplings and bushes, and saw that his second shot had downed a second man. Then he fired a third, and it was answered by a second volley, when he felt a sharp pain in the side, and knew that he was hit badly, from the faintness that ensued.

His eyes began to fail him, and he fell forward against the trees that he was sheltered by.

As he went down, he saw a third man fall, of the assailants. Then he slipped down at the foot of the tree and heard the men calling to each other to "get out of that! There was no chance!"

Old Cross Eye smiled faintly as he heard the cry, and lay back against the tree, while the assailants of the ranch went rushing out of the path, and he heard them mounting and riding away, with a haste that showed they had had enough of the contest in the dark. They had proved the danger of a night attack, where the enemy is prepared; for they had fled from one man, who was badly wounded and could have offered no further resistance, thinking that they were confronted by at least two, and not knowing of the departure of Tom Field to seek the Indians.

In a few minutes after he had fired his last shot Old Cross-Eye was all alone, and heard the

galloping feet of their horses, as they fled for their lives from the *motte*.

Then the old man seemed to himself to be falling asleep, for he remembered nothing more till the light of the sun shone into his face, and he heard voices near him.

He opened his heavy eyes, and saw that the sun was up, and that he was at the foot of the sapling he had used for a shelter.

The voices he had heard were those of Tom Field and some Indians, who had followed him to the edge of the *motte*. They were coming from the inside, and had evidently been at the jacal. The tones of Tom's voice were full of anxiety, as he called out:

"Jake, Jake, where are you? For God's sake answer! They must have killed him."

Then he heard the voice of Wild Cat, saying in the Indian tongue:

"The brother with the crooked eyes was not here. He has gone into the wood. See the place where he went. He has killed his foes, and they have run away."

Then Old Cross-Eye, unable to speak for weakness, saw the form of an Indian in the path, and the red-man was peering into the bushes.

The old man made a motion so as to stir the branches round him, and the quick eye of the Indian noted it. In a quiet way, as if he were not at all astonished, the savage said to the man behind him:

"The man is here. He is hurt, or he would have come out to see us."

Then Old Cross-Eye saw them coming toward him, and in a few minutes more the Indians were by his side, and had picked him up, with the skill they use when a comrade is badly hurt.

They carried him out to the jacal, and there his young friend Tom, with the tears streaming down his face, knelt beside him and murmured:

"Oh, Jake—Jake! why did I leave you? If I had only been here, this would not have happened."

The old man was too faint to say anything, and lay quietly while the young doc' or examined his wound with great care. When he had finished, Old Cross-Eye smiled at him, and whispered:

"Gone, ain't I, boy? Better I should go."

Tom Field smothered a sob.

He knew the old man was right. The bullet from a pistol had passed through the left lung, very close to the heart, and the long exposure to the night air, which is always chilly in Texas, had had the effect of sapping the vital powers, so that there was no hope. Old Cross-Eye had not many hours to live.

The Indians looked at the wounded man with the stolid calmness of their race, and Wild Cat said:

"The man with the crooked eyes has done well. He has slain three of his enemies. The scalps are his."

The old man smiled faintly; but his eyes sought those of Tom Field, as he whispered:

"Is he dead?"

Field understood him, and sadly shook his head.

"The other one, who was here, was killed," he said, "but Tomlinson has escaped. Are you sure he was here?"

Old Cross Eye made a sign to be raised up, and when he was more erect he seemed to be easier, for his voice grew stronger, and he said in a low tone:

"He led the party, boy. He came back, as I thought he would. He must have met his friends near by. How did you come back so soon?"

"I met Wild Cat out on a hunting-party, and he came with me at once," said Tom. "We got here at dawn, and as soon as the chief set eyes on the *motte*, he said there had been a fight. He showed the tracks of horses at a gallop, and he has sent some men out after them. They must have come back on purpose to rob and murder us."

Old Cross-Eye nodded his head.

"Ay, ay; that was their game, boy. The temptation was too great, when they saw the herds all alone out here by the Indian country. Now they're all yours, boy, and ye kin be a rich man, if ye wanter. If ever ye meet that Tomlinson, don't furgit he was the one shot me."

Tom started.

"How do you know? Are you sure?"

"They was all in a bunch," said the old man, faintly; "but the man that fired that shot waited till he saw the flash of my rifle. It takes a good man to kill another, as he did, in the dark, guessing at the place. It was Tomlinson, or no one."

Tom Field raised his hand to heaven.

"If ever I meet the man, I will avenge your death," he said, solemnly. "It was a foul and causeless murder, and should be punished."

Old Cross-Eye faintly answered:

"Ye'll do it, boy. Ye'll do it. I feel it here. I seem to see clearer now than ever I did in all my life. Tom Field, you've the makin's of a terror in ye, and this night has brought it out. You won't furgit the old man; will ye?"

Tom seized his hand and kissed it reverently, as he said:

"Jake, you have done for me what no other man in Texas ever did. You took me in when I was a pauper, and treated me as a man. You've had the life of a martyr, and you will win the crown of a martyr."

The old man smiled again. He looked quite happy as he sat there, propped up by the arms of one of the Indians, and looking at the boy he loved.

"I'm a-goin', Tom," he said, "to the place where they straighten out eyes, and mebbe I'll have a chance there, where I wouldn't git one on 'arth. Boy, you never knowed what it was to have the eyes that all creeters has denied ye. I've had a hard time in this life. No one keered fur me, and I guess I warn't desarvin' of it. I'm better out of the way, and you kin have the times I might have had if it hadn't b'en fur the body the Lord give me. Take the cattle, and sell them fur what they're wuth. You oughter be out here, a common cowboy. Go to the cities, and make a name fur yerself, boy. I'll see ye, and I'll be proud of ye, Tom. I never had a son of my own, and p'raps it's jest as well I didn't. He mout have been cursed as I was, and never got over it. We sort are better out of the world. But you be my son, Tom. You go and make me proud of ye, boy. I must have loved ye, or I wouldn't have staid back to give ye a chance to live. If you'd b'en here it's m'ren' like you'd ha' got it instead of me, boy. There ain't no stoppin' bullets; they go where they're sent. But, Tom, don't ye furgit me. When ye see a poor critter that men mocks at, because the Lord has crooked his eyes, or his back, or his legs, don't jine them as laughs at him. Mebbe his soul's as white as any other man's, and when he gits to the other side of Jordan he'll see God as plain as them that has the best sight of all."

The length of his speech seemed to have exhausted him, for he lay back and closed his eyes. Wild Cat made a sign to the other Indians and they came and stood by the dying man in a reverential attitude, so that he might see them when he opened his eyes again. Presently this happened, and he said:

"Wild Cat, I never liked Injuns afore. I thought they was all alike. Now I see it ain't fair to call 'em all the same. There's good and bad. You might have done what these white-men has done. Will ye give me yer hand and say good-by?"

The Indian gravely offered his hand, and all of his comrades did the same.

The dying man grasped them, one by one, and when it was over, he said to Tom:

"You was right, and I was wrong, boy. Injuns is men and women, the same as the rest of us. They have their faults, and we have the same. When I'm gone, there may be some of 'em, who'll be sorry even for Old Cross-Eye."

After that he got very weak and lay back for some time in a stupor which gradually deepened, as they laid him down to sleep.

He slumbered till about the middle of the afternoon, when he suddenly woke up with his eyes staring round him, with an expression of terror and pain.

He seemed unable to draw his breath, and Tom, who saw that the end was coming, raised him up, till he drew a long, shuddering sigh.

Then his hand, weak and nerveless, sought that of the young man, and he clasped it faintly, as he tried to whisper something.

Tom listened, but could hear nothing sensible and the next minute the clasp loosened, and poor old Cross-Eye, the butt of fortune for so many years, was gone to the place where his defects would be cured.

Tom Field noted, with surprise, as the breath left the body, that the eyes, directed inward in the last struggle, straightened out and looked as natural as those of any man he had ever seen. Death had removed the defect on which the poor old man had been so sensitive during his life.

That evening at sunset the Indians came and helped bury the body, and Tom Field felt that he was at last alone in the world.

#### CHAPTER XX.

##### LIMPY BALSTROP'S MISTAKE.

LIMPY BALSTROP was riding over his ranch, about three weeks after the settlement of the cattle company with the ranchers.

He looked depressed in spirits, and he felt gloomy enough. His cattle were eating up the grass on his claim and he foresaw that the time was coming when he would have to sell off a part of his stock, or see them starve for the want of sufficient grass.

Outside the hated fence that had caused all the trouble, the cattle of the company were frisking about, just as his own cattle used to frisk, with an unlimited pasture and no one to say them nay.

He had found out, when Judge Collingsworth went to Austin, that the claim of the cattle company was made so as to include a strip ten miles wide, all along both sides of the Blue Fork. They had put a fence on the outside of this line, barring access to the river, so that

their cattle enjoyed all the grass in the bottom, while the beasts of the ranchers were confined to the limits of the grants which they had taken up, when the county was first surveyed.

In those days no one had thought of having his land down by the river-side, because it was there liable to floods, during the mountain freshets, and the grass was not so good as that about half a mile from the banks.

Each rancher had a claim of a square league, at the uniform distance of about half a mile from the stream, and it had been the custom of the herds to come down to the river to drink every evening.

Now they came down, the same as they used to do; but the way, instead of being free to all, was down a lane, bordered with the hateful wire fence, not more than a hundred feet wide, so that the cattle were crowded as they came, and frequently horned each other, besides treading the watering-places into mire, so that they were in constant danger of stalling in the deep black mud.

Limpy felt particularly blue that day, because he had had an accident, the very night before, by which he had lost several fine bullocks.

They had got into a fight at the watering-place and one had gored the other, while the third had got its eye torn out of its head, by running against the fence, and getting the terrible barbed wires into the eyeball.

The cattle country had bought all the land in that part of the company, outside and inside the line of the "league" ranches, and had fenced it all in, so as to shut the ranchers out from everything but their own land. The land of the company was ample for the support of a hundred thousand head, and they had fifty thousand already, and were constantly buying more. Limpy could see them, as he rode along by the fence, and hear the lowing of the cows, and the muttering of the bulls, as they paced about in defense of their particular harems, at the approach of some hated rivals.

Once Limpy could ride anywhere over the prairie, and ask no man's leave where he should go. The pastures of nature had been free to all, and no one had tried to arrogate to himself property in anything but the beasts he cared for, and the house he lived in. Even watering-places were changed at the caprice of the herds, and cattle from several different owners had fed and drunk, side by side, in peace.

Now it was different. Limpy had to be guided by the lines of that accursed fence, wherever he went, by day or night.

He could not even take a short-cut, across the country to see a friend; for the fence was in the way, circling every man's place, and the way around was the only one left open. To get from his own to the Collingsworth Ranch, he had to go down to the river by his own watering-place and ride along the bank till he came to the judge's claim, where another lane existed, by which the Collingsworth stock was taken down to water, every evening.

Limpy rode gloomily along, and frequently cursed aloud, in the bitterness of his spirit, as he saw the cowboys of the company—who had been arrayed in a gay sort of uniform of the Mexican cut, with red sombreros, to distinguish them from everybody else in the county—riding along, watching the herds.

If he had thought it prudent, he would have gone and picked a quarrel with one of them, but he knew that such a course of conduct was just what they desired. The swaggering air with which they rode, close to the other side of the fence, whenever he approached it, eying him as if they wanted to know what he wanted there, was enough to show that; and Limpy, for all that he was a fighter, was not a fool, and saw that none of the cowboys were out of sight of each other.

At last he came to the lane that led to the judge's ranch, and took his way up toward the house, when he had been anticipated by another cavalier, who was going there before him.

The sight of this person, whose tall figure and peculiar dress would have made him a marked figure anywhere in Texas, caused Limpy to swear violently.

He recognized, in the horse, with its tail cropped, in the brown riding-coat and gray trowsers of the rider, and the short hair which showed under his little Derby hat, that the English overseer was before him, actually going to the Collingsworth house, to make a call, without so much as a revolver on.

The "cheek" of this proceeding, to Limpy's ideas, was so great that it excited his ire. Here was the head man of the enemy, who had done them all the mischief he had, actually going to call on the young ladies as if he were a friend of the family.

Limpy could hardly believe his eyes at first; but when he was sure it was the enemy, he rode after him at a gallop, and as soon as he had come near enough to be heard called out:

"Hello, you, sir; a word with you."

Berkeley turned round and showed the Texan a face that wore its most haughty expression as he said:

"Sir, I don't know you, and what's more, I don't want to know you."

"The blazes you don't," sneered the Texan, staring at the Englishman as if he desired nothing more than to strike him. "You're a sweet-scented duffer, you are, to be comin' around Texas, from your old rotten country, taking away men's pasture, where they've be'n fur years, afore you come nigh 'em. You and me's met at the right time, stranger. You're a skunk! D'ye hear me thar? A skunk, I say."

"Well," asked the Englishman, with imperious gravity, "have you done, sir?"

Limpy was so much astonished with his coolness that he could only ejaculate:

"Done!"

"Yes, done was what I said," returned the other, and as he spoke he rode close to the Texan's horse. "Because, if you think I am going to notice a fellow like you, you are mistaken. Do you know what I do with such men when I meet them?"

Limpy seeing the other, to all appearance unarmed, and having no very high opinion of his fighting abilities, answered with a sneer:

"No, and I don't wanter know."

Berkeley actually laughed at him as he said: "My good friend, you have told the truth. You will not want to know any more than you do, after you have got through with me. Get off that horse!"

Limpy afterward said that he never knew "how the darned critter did the trick," but the next minute he found himself tilted out of the saddle and head down on the ground, with his horse running away under a lash of the Englishman's whip.

Berkeley had tipped his foot out of the stirrup by surprise, with all the more ease that Limpy rode in the Mexican fashion, with a straight leg, and was overbalanced by a man stronger than himself.

The next moment, before he could recover his feet and draw his pistols, which he instinctively tried to do, Berkeley was out of his own saddle and on the ground by his side, with a cocked derringer at his head, and the stern order:

"None of that, or I'll blow out your brains, by the lord Harry!"

The words were coolly spoken; but the eye of the English scamp was so diabolical in its pitiless malignity, that Limpy saw he was "in a hole" and, with all a Texan's readiness to recognize "the drop," when another man gets it on him, he cried out:

"Stranger, I cave. You've got the cake this time."

Berkeley put out his left hand, and took possession of the rancher's weapons, before he said another word.

Limpy had a very fine pair of revolvers, and the Englishman took them from out his belt, and asked him sternly:

"Now then, my friend, have you got a derringer in your shirt, or not? If you have, I'm going to have it. You don't get the drop on me, I can assure you. I have been in Colorado, as well as Texas."

Limpy, lying there at the mercy of the other, could only say:

"Wisher may die if I have, stranger. Ye've got me, this time. I cave. I s'pose ye don't wanter ke'p the weepins; do ye?"

Berkeley rose up and put the pistols into his own pockets, before he said anything more; then he observed:

"Get up, out of that, at once, and go home. If ever I catch you around my path, I shall give orders to my men to fire at you."

He drew back to his horse; and Limpy, feeling considerably like a dog that had been kicked, got up and went toward his own animal, that had stopped at its master's fall, as soon as the smart of the whip had died away, and was cropping the grass not very far off.

As he went, the Englishman called out after him:

"I'll send those things back to you, to-morrow; but you'd better treat the man politely, or by Jove, I'll come down with all my men, and give you what you have been wanting, all this time."

Then he turned his horse, and Limpy saw him canter away to the house, while the sight of several men, who, from their red sombreros, were evidently servants of the company, and who were coming down at a gallop to the dividing fence, made the Texan feel decidedly as if he had done a foolish thing.

He got his horse, but not before he had gone close to the wire fence, where the animal stopped, and on the other side of which were gathered three men, who stared at him with no pretense of politeness, and as soon as he had mounted his horse, greeted him with a burst of sneering laughter.

"Thought he'd get the drop on the captain, didn't he?" said one man, pointing at Limpy.

"He's a bu'stin' old fighter, he is, ain't he?" said a second, blowing his nose contemptuously at the mortified rancher. "He's jest fit to carry guts to a b'ar, and that's all, boys. Gee-roosalem! how the captain did wallop him! Come out of that saddle jest as slick as a whistle. Boo!"

Limpy answered not a word. He had the virtue of all Texans—he could hold his tongue,

if he saw no chance of taking his own part. He knew the men on the other side of the fence wanted to provoke him into a retort angry enough to justify them in firing at him, and he knew he had no chance to defend himself. He groaned in spirit, but it was all useless. He had to ride off, with the jeers of the cowboys in his ears, and the last word was:

"Showed the white feather, didn't he, Jim?"

That taunt was the hardest of all to bear, and the irate Limpy turned round and called out:

"The man that says I showed the white feather dassin't come out and say it again, when I've got a weepin. Your boss is one thing; but he ain't you, by a darned sight! I'll fight any man of your crowd with natur's weepins, and ye dassin't take me up—and me lame."

His words were interrupted by the sound of a horse coming at a gallop, and he saw the cowboys at the fence turn to look at the newcomer.

What was Limpy's surprise to see, mounted on a fine paint broncho, with a Mexican saddle glittering with silver nails, and all the bravery of the Texan dandy, a young man whose face seemed familiar.

He was dressed in all the finery that is fashionable among the "fancy" men of Texas, who delight in velvet and gold lace. He had shipped the regular Mexican rig, and wore it with distinguished grace.

Limpy gazed and gazed, and at last ejaculated, as he saw who it was:

"Jumpin' Jehosaphat! if it ain't that doctor feller again, and this time he's got the best of it!"

#### CHAPTER XXI.

##### TWO UNWELCOME VISITORS.

LIMPY was right. The man whom he had seen going up to the Collingsworth Ranch was none other than Tom Field, whom he thought he had driven from the county forever by his threats.

But, as Limpy remarked, Tom had the best of it this time; for he was armed with a pair of very handsome revolvers, and bore a Winchester rifle at his saddle, having altogether the look of a native of the soil, who would not hesitate at killing his man if occasion demanded it.

The transformation, to the eyes of Limpy, was very amazing, and he could hardly believe it.

Had he met Tom before his little adventure with the stalwart Britisher, he might have tried on some of his old tricks; but Limpy was too thoroughly cowed, for the time, to think of fighting any one.

He felt like a fish out of water without his two revolvers, which he had carried daily ever since he had lived in Satanta county, and without which he was nowhere.

Still there was something in Limpy which made him hesitate before he actually abandoned the idea with which he had set out on his ride.

He had been going to the judge's ranch, to call on the master of the place, and he did not like to be cowed out of that.

Judging from his own method of life, he thought that the Englishman would be sure to go about the country, bragging that he had driven off Limpy Balstrop and disarmed him in sight of a number of people.

If the Englishman did not, then the cowboys would be sure to tell the story against him.

Taking all things together, Limpy, after a little hesitation, turned his horse and rode after the strange horseman and the Englishman; so that it happened there were three men riding to the Collingsworth Ranch at the same time, and that they drew rein almost at the same moment in the door-yard.

Berkeley heard the horses coming after him, and turned his head to see who it was.

He exhibited no fear, for he had come prepared, and as Limpy rode up he noticed that he was followed along the line of the fence by the men who had been jeering at him just before.

They kept by the line of the fence, and as the judge had built his house at one side of his reservation when he first came to Texas, they could do this, and keep within shot of the people in the door-yard.

Berkeley saw Limpy, and his face darkened as he said to him, harshly:

"Look here, you, sir: do you want to provoke any more trouble for yourself? I told you to go home."

Limpy compressed his lips, as he answered:

"I come to call on the young ladies, and I ain't goin' back. I've got as much right here as you, and more, too, if it comes to that. You ain't the king of this country."

Berkeley hesitated for a moment. He did not like to have another fight in the very presence of the people that he had come there to conciliate, and yet he did not like to go into the house, and have this coarse fellow in at the same time. He was used to the obedience of his men, and accustomed to rely on them to pull him through every difficulty.

After a moment's thought he turned to the fence, then about a hundred yards off, and made a signal to the cowboys waiting there for orders.

That they understood it, was evident from the way in which they obeyed it. Two of them jumped off their horses at once, and crept through the fence, running toward Limpy, as he sat on his horse. The men of the judge's ranch were all out in the range, and Berkeley said to Limpy coldly:

"Now, my friend, if you are prudent, you will go back at once, or these fellows will make you. I can give up a call as well as you; but, if I do, it will cost you the most."

Limpy knew what he meant. The cowboys on foot had their long quirts in their hands, and were cracking them as they came, with the evident design of flogging him off his horse, which they could do with ease, as he was unarmed.

With a bitter curse, he said:

"All right this time, stranger. It's your trick; but the next time we meet, you'll be sorry for this."

Berkeley smiled contemptuously for his only reply; and the cowboys were coming so close that poor Limpy had to put his pony to a gallop and ride away, leaving his foe in possession of the field.

Then the Englishman turned his head to the other man, whom he had never seen but once, and had forgotten.

The dress of the stranger puzzled him, and made him think that he had come on a desperado of some sort, who wanted to see him.

So he asked, with a penetrating look:

"Well, my friend, did you want to see me?"

The stranger smiled.

"Well, no, or I should have come to your place. I came to call on Judge Collingsworth."

Berkeley heard the words, and something in the tones of the voice told him that the other was no ignorant Texan cowboy.

For the first time since he had been in that part of the world, he hesitated, and hardly knew what to do. With the coarse men he had accepted as types to deal with, he would have tried the "bounce game" that had been successful with Limpy; but this man was a gentleman in manners and speech, and Berkeley did not like to play the bully in another man's place, unless he was quite sure that there was no one at the window, listening and looking on.

So he put on his most courteous and insinuating air to ask:

"Ah—I'm sure I beg your pardon; but have I not seen your face before?"

"Possibly," returned Tom, coldly. "I remember yours, sir. But pardon me now. I have a call to make here, and it is not exactly the proper thing to be waiting outside."

He turned his horse to the house, and rode up, tying it to one of the posts before the door.

Berkeley allowed him to go on, and then gave a few words to the men who had come and were expecting orders of some kind from him.

They were off to the fence again, and the English overseer went to the door, and arrived there, as it was opened by old Chloe, who started back at the sight of the stranger, and cried out:

"De law sakes, honey! is dat you lookin' so fine? I h'ard you was done gone dead, Marse Tom."

Tom Field smiled as he answered:

"I'm all right, auntie. Please tell the young ladies and the judge that I've come, and would like to see them."

Chloe was about to close the door when the tall figure of the Englishman appeared before her, and Berkeley added:

"Ah, yes, and would you be so good as to take my card to the judge also? I have a little business with him."

Then the two men were admitted into the house, and ushered into the large cool parlor, where the white Indian matting, and the piano in the corner, gave an air of civilization to the whole chamber, very rare in the back counties of Texas.

Berkeley, being left alone with the stranger, and wanting to know who it could be, whom he half-recognized, coughed delicately and asked:

"Where in the world is it I saw you last, sir? It seems as if I must know you."

Tom Field answered him, in the same cold manner that he had used, from the first minute he had set eyes on the Englishman:

"You saw me, outside this house."

"Indeed, and when?"

"When your men made ruffians of themselves, and you made a fight in the presence of the ladies. I saved the life of one of your men, and I have only been sorry for it once, which has been ever since. That is all, sir. I am the doctor who attended the man Tomlinson."

Berkeley listened, and his face flushed slightly; but he gave no token that he was angry; for, at that moment the judge, who had recovered from his fall, by this time, came into the room and stood looking from one to the other of his visitors, with the cold and freezing dignity of a man who feels that he has intruders in his house.

His first words were sufficiently forbidding:

"Well, gentlemen, and to what am I indebted for the honor of this visit?"

He looked at Berkeley first; and the Englishman, whose trained impudence was never at a

loss for a word, and who had come there with the express purpose of seeing the judge, and establishing himself on a familiar footing in the house, answered:

"My dear sir, I am aware that my presence may not be agreeable—"

"You are right, sir; it is not," was the blunt reply.

Berkeley smiled.

"Exactly; but I thought that, if you knew I had come to offer you what I would not offer the rest of these men, you might be induced to listen to me. You are not the same, judge. You see, we, who are men of the world, can understand each other. You are a gentleman of the old school; a man of education. You will pardon me for saying that; for, you know, we Englishmen call ourselves judges of what a gentleman is. We are what you call experts on the subject. Now, judge—"

As the wily rascal spoke, he assumed the air of a titled scamp, who wants to wheedle a simple fellow into signing a bill for him, and went on:

"I have come here to make an offer to you; but it must be done in confidence. Can I see you alone?"

The judge, who had been taken in by the flattery of the aristocrat, hesitated and looked toward Tom Field. Then he said to the latter:

"And what is your business with me?"

Tom bowed as he said:

"I can wait, till you have got through with that gentleman, sir. It concerns a sale. I have come to make you an offer for your ranch."

The judge eyed the young man keenly from head to foot, and then said shortly:

"I don't want to sell, sir. There is your answer."

The tone was disagreeable, and the glance by which it was accompanied said, plainer than words:

"Curse your impudence! How dare you come here?"

Tom Field rose with a smile from the chair in which he had been seated.

"That is plain, at all events, sir; but I think, if you would listen to what I have to say, you might change your mind. All I ask is a few moments' talk alone with you."

It was not in the nature of the judge, who was a kindly Southerner, to be harsh long to any one; and his only ground of objection to the man before him was the fact that everybody in the county said he was a coward. Therefore he shrugged his shoulders, and replied:

"Of course, if you have anything to say privately, Field, I shall be happy to hear it; but you have not the stuff in you to make a rancher out here. Well, wait here till I come back. Captain Berkeley, be good enough to follow me."

Berkeley obeyed, with a look in his eye that told of his triumph in having captured the out-works, and the judge led him from the room, while Field was left alone in the cool parlor.

He sat there for a little while, as if he did not want to stir, looking about him in the cool shadows with a wistful gaze. He had been in that room before, when he had been a cowboy on the place, and the judge had spoiled him, on finding out that he was a man of education. It was there that he had been surprised, one day, by "Colonel" Callahan, singing at the piano to the accompaniment of Miss Helen, while Diana Collingsworth was listening. The rancher had come there with the express purpose of popping the question to one of the girls, and the sight of the intrusive cowboy had so disconcerted him that he had forgotten all about his purpose, and had gone away without its execution, to spread the news.

That had been the beginning of Tom's persecution, and from that moment he had been led the life of a dog, by Callahan and the other jealous ranchers.

Among their own class, they had been willing to allow fair play, and let the best man win; but when it came to a "common cowboy," then the spirit of Satanta County rose in arms, and they vowed they would make it "too hot to hold him." They had done so, to his cost; and now he had come back to try and win what he had lost, and fight his way to the girl who thought him a coward.

Poor Tom Field had no very pleasant thoughts as he looked round the room; and when he heard the door open behind him, it seemed that, when he turned, he would behold another enemy, as he had the last time he had been there, and hear the words:

"We'll give ye jest one day to git aout of the caounty, and ef ye're thar, arter that, you know what'll be the matter with ye."

But this time, when he looked round, the form he saw was not that of a rancher of the Callahan stripe. Instead of that, the figure of a young lady stood in the doorway, clad in the simple white Gabrielle robe that Diana Collingsworth affected at most times in summer, and the eyes of that young lady were on him as he rose awkwardly and bowed.

Then the girl said, as if she had not recognized him in the darkened saloon:

"Chloe told me, sir, that—"

Then she stopped, as she saw who it was, and her face flushed deeply, as she added:

"I beg your pardon, but I did not know you in all that bravery! Is it real?"

Her eyes were dazzled with the splendor of his appearance, so different to what he had been in the days when he wore rough clothes on the ranch, and when everybody imposed on him. Then, too, she saw that he had weapons, and he had always gone unarmed in the old times, so that no man had had the heart to shoot him. Was it possible?

The tone of his voice was the only thing that was the same, as he said:

"I beg your pardon, Miss Collingsworth. I did not mean to impose my company on you. I know you have a hearty contempt for me—"

She interrupted him by a gesture of disclaimer, but he waved it aside, as he said:

"Nay, nay, it is no matter; I did not come here to ask you to change it. I know that I am by nature timid, and that I was never cut out for a rancher. Your father has just said as much to me. I hate to quarrel, and there is nothing in the world I love so much as peace. But I have an idea that your friends will listen to reason. They were very angry at me when I was here last because I was only a poor cowboy. Now, thanks to a legacy left me, I am on an equality with the rest of them. I have come here to try if I can stay."

Diana listened to him, and her face changed as she heard him speak. Then she drew herself up to her full height, and said:

"Indeed! And do you really think that money is all that is needed to make a man respected in Texas? You will find the difference, sir!"

Then she turned her head away, and left the room without the slightest ceremony.

## CHAPTER XXII.

### A PARTNER DECLINED.

THE departure of the young lady was by no means polite, and the visitor felt it. It was as much as to say that she did not think him worthy of civility. In fact, Diana, when she went out of the room, flew to her sister, who was waiting in the passage, and whispered to her:

"You were wrong, Helen. He has not come back to show he is a man; but just because he has some money. As if I cared for money, when the man's a coward. He will be driven off again. Oh, sister, why was I such a fool? I can't help it; but he shall never know it, not if I have to stand by and see him killed before my very face. Oh, Helen, why was I born so?"

She spoke in the quick, energetic whisper of one who is in intense emotion and fears to be overheard. The fact was that poor Diana Collingsworth, like many another woman before her, and many a one who will come after her, had been captivated by the fine face and figure of the young man in the parlor, and could not, with all her pride, drive him from her heart. She had striven against it and cursed her own weakness; but all in vain. That very morning she had crept into the parlor to see him. Chloe had said that he had come armed "with a lot of pistols and guns," and the girl thought that he had actually thrown off his old timidity, for which she hated him, and was going to be a man among other men.

His first words had disappointed her, by showing her that he relied on getting into the society of the ranchers as an equal, by his money, and not by courage.

At that moment Diana Collingsworth felt thoroughly wretched, and wished she had never seen this handsome, but—in her estimation—worthless man.

Then she heard the voice of her father at the end of the passage, coming out of his private office, and the judge was saying:

"Come into the parlor and be introduced to my daughters, captain. I'll get rid of that young man very quickly."

Then they saw the tall figure of the handsome Englishman coming along the passage from the back of the house with their father, and the girls, by one consent, slipped into the parlor before the old gentleman could call them, and found Tom Field standing by the piano.

To him said Helen at once—for the girl, not being in love with him, was quite cool and kind:

"Mr. Field, I am very glad to see you."

Tom bowed; but before he could say a word he was interrupted by the entrance of the judge, who frowned when he saw that the girls were in there, and hurriedly introduced the captain, with the remark to Tom:

"Now, sir, I am ready for you. Come into my office."

Tom saw the frown but it made no impression on him, for he had come there with a purpose, and he was going to carry it out.

There was no denying that the captain was a very fine-looking man, and the presence of such a man in the parlor with the ladies was disquieting. The Englishman had in some way made his peace with the judge, and the old gentleman was cold to Tom and desirous of getting rid of him as soon as possible.

Tom followed his host to the room where the judge held business-like talks, and where the young man had been many a time in the days when he had been a cowboy on the ranch.

Times were changed with him since then. He was rich, where he had been poor; but, at the moment when he entered the office, Tom felt that his old position, before the ranchers had begun to persecute him, was preferable to the one he occupied that day.

The judge did not even offer him a chair, but took a seat himself and said sharply:

"Come, Field, what is it? I have no time to waste. I like you well enough, but I tell you fairly that there is no use for a man like you in Texas. You may have come to money; but it will only be a trouble to you here. The best thing for you to do is to go to the East and stay there. Men of your temperament are not fitted for this part of the world."

Tom listened to him respectfully. He had expected some such salutation, as soon as he saw the face of the old man and it did not disconcert him, as it would have done if he had not been prepared.

Before he answered he took a chair and drew it near the table where the old judge sat, at which the other stared in a manner that betokened a great deal of surprise and some disgust. Then the young man spoke out:

"I beg leave to differ with you, judge. I have come back to stay this time, and all the ranchers in Satanta county cannot drive me out."

The judge stared at the young man as if Tom had gone crazy of a sudden, and retorted:

"Why, confound it, man; you don't know what you are talking about. These fellows are all fighters, and you are not. Didn't they drive you out of the ranch when I was your friend? I can do a good deal, but I can't put pluck into a man if it isn't there by nature. But that has nothing to do with what you came here for. What did you want to speak to me about? Tell it quick, for I am in a hurry."

Tom Field laid his hand on the table.

"I want to buy a share in your ranch, for cash. I have not enough to buy the whole place; but to purchase a share, and I will guarantee you shall not be the loser. I know the cattle business to the bottom now. I have been a Maverick-Hunter for more than a year, and I can put you in the way of becoming rich in a very short time."

The judge laughed.

"Now, look here, Field, I told you I liked you. It is true. You have manners and education; but that is not enough to make a gentleman, to my ideas. A man may have all that, and yet be a very poor stick, in Texas. You want to purchase a share in my ranch. Well, suppose I was to sell it? How long would it be before the other ranchers would be after you, as they were before, and drive you out? It would be a swindle on you, my poor fellow. You would be sure to come to me before a month, and ask me to buy the share back, at half the money. They would make the place a perfect hell to you. Besides, it is quite possible that I may find myself in a party opposed to the other ranchers, and take my life in my hand. What use would you be to me, under such circumstances? I could not depend on you in a fight."

Tom listened quietly, and when the judge had finished, and lay back in his chair smiling, as if he felt sure he had "stumped" his interviewer, he answered:

"You may be mistaken as to that, sir. I may not be quite as helpless as you think in a fight. I have never hitherto worn weapons, because I did not know how to use them, but you may see that I have them on to day—"

"Oh, bah!" the old judge interrupted him, with unconcealed contempt. "That counts for nothing, Field. I've seen many a man who wore a whole arsenal of weapons, and yet he would run like a hare, when he had to use them at targets that fired back at him. It is no use, I tell you. I wouldn't have you for a partner. I want a man."

Tom flushed slightly. With all his self-command, he was mortified at the contempt which the judge had for him.

He struggled with himself for awhile, and then asked, in a low tone:

"You say you are to be put into antagonism with the rest of the ranchers. May I ask if the visit of that Englishman has anything to do with it, sir?"

The judge stared at him, and his face took on its most forbidding look, as he said:

"Young man, that is not a question for you to ask, or me to answer. You have no business to pry into my private affairs. I thought you had the *manners* of a gentleman, but it seems that you have not even that. I might have known it. A man without any pluck has not the foundation to build on. It is time our interview was terminated."

He rose as he spoke, and the young man before him did the same. But for all his unceremonious dismissal, he was not yet staggered, for he said:

"I am aware that I had no business to ask the question *socially*, but as a matter of *business*, I

had. I can guess what he has offered. *I can better it.*"

"What do you mean?" asked the judge, surprised, in spite of himself, into speaking.

"I mean," said Tom, steadily, "that there is only one offer he can have made you that would put you into antagonism with your neighbors. He must have offered to take your ranch into the company, and pay you in shares. That would be the best thing he could do, for he is the manager and can do what he likes with the profits. Well, sir, I warn you that if you do this you will be sorry for it. I have known what it is to have the whole of a society down on me, and I do not envy you the experience. In a short time you may find it in your heart to put yourself into my position, and reconsider your opinion that I am a coward. Till then, good-day, sir."

So saying, he went out of the office and the judge stared after him, muttering to himself:

"Confound his impudence! I've a good mind to—"

He did not say what, but followed his guest to the front door, and watched him mount his horse and ride away.

As he went, the sun glittered on the barrel of the Winchester rifle that Field carried, slung at the back of his saddle in a sort of holster, and the judge said to himself, aloud:

"By Jove it's a pity. He's a fine-looking fellow enough. Wish he could shoot."

As if to answer his desire, at that moment, he saw Field catch the rifle up from out of the holster at his side and look upward to the sky. Then came a flash and report, and the judge looked up to see what the young man was firing at.

He saw a dark spot in the sky, and the next minute down it came, with a fluttering motion, showing that it was a bird of some sort, shot on the wing.

#### CHAPTER XXIII.

##### A GOOD SHOT.

Down it came, and fell with a heavy *thud* at the very doorstep of the old rancher, showing him the white and black plumage of the common swallow-tailed hawk—more properly kite—of Texas, one of the swiftest of the *Falcons*, that always flies at a very high elevation.

The shot was remarkable: and the judge heard the sound of men clapping their hands, not far off, that showed the opinion of others on the subject.

Looking over in the direction from whence it proceeded, he saw five or six cowboys, with red hats, in the uniform of the cattle company, starting from the other side of the fence at the dead bird and the figure of the dandified rider, as he rode slowly away without so much as looking back.

The judge picked up the bird, and his face wore a look of wonder, as he said to himself:

"By Jove! that was a splendid shot. Wonder what made him do it?"

The whole operation had been that of a man who was certain of his aim, for there was no pottering or long holding. The rider had not even checked his horse, and had fired almost as soon as the rifle came to his shoulder. As he passed the cowboys by the fence, he threw the weapon across the front of his saddle with the careless motion of the plainsman, and rode by them without deigning any notice.

They, on their parts, were so penetrated with the respect which had been called forth by his performance that they did not salute him with clumsy railing, as they would have done any of the neighboring ranchers.

They were under instructions from Berkeley to put themselves in the way of quarrels if they saw any chance, and to exercise a wholesome terror all over the county; but they forgot it all in the presence of a man who carried ten shots in one barrel, and had just showed them that he could put them in the place he wanted without any difficulty.

Had Tom Field meant the shot for a hint—and it is probable that he did—it could not have been more efficacious. He was permitted to ride away quietly, and the judge picked up the bird and carried it to the house, where he called to his daughters and Berkeley to see what had been done.

"Would you believe it?" he said to them. "That poor, spiritless wretch, Field, that we all used to laugh at, has turned out to be a famous shot. I saw him take this bird on the wing, with no more trouble than I would take to put a bullet into the side of a barrel at ten paces. Never saw such a shot! Splendid!"

Berkeley looked at the bird and asked, in his drawing English way:

"Ah, yes; by the by, how far was the bird from him? Hovering, I suppose?"

"Hovering or not, it was a splendid shot," remarked Helen Collingsworth warmly, at which her sister gave her a secret glance of great gratitude, and Berkeley continued:

"Ob—ah—yes—of course—it was all that, you know—very good shot—but, I must say, I should like to see the gentleman repeat it, and show it was not a fluke. I've known a man

make a bull's-eye for first shot and miss all the rest."

Diana Collingsworth shot a glance at him, as angry as the one at her sister had been grateful, as she said slowly:

"I hardly think that remark in good taste, till you have bettered the shot, yourself, captain."

Berkeley smiled, for he was a good shot, and knew it.

"Oh, certainly, you know, by all means. Delighted, I am sure, to give you a little show, any time you may wish, Miss Diana; but I haven't a rifle here, and I don't suppose there are hawks around the house, any time you want them."

Diana, with a malicious glance at the two long revolvers that still stuck out from his side pockets, observed:

"No, but I've known those long, army-size pistols, to carry a hundred yards. Yonder's another hawk, if you think you can hit him."

Berkeley colored slightly.

"Ah, I beg your pardon, I'm sure; but I don't know these things. They are not mine, you know."

"Not yours!" echoed Diana. "Whose are they, then?"

Berkeley smiled.

"Well, to tell you the truth, I got them by a kind of highway robbery, as you might call it. There was a gentleman who wanted to pick a quarrel with me, coming to your house, and I had to take these from him. Of course I don't intend to keep them; but really, the man was so cheeky, I couldn't help it, you know."

He told his story so modestly that the girls were struck with it, and Diana asked:

"Who was it? Do you know his name?"

Berkeley handed her the pistols, saying languidly:

"I believe the name is on there. I didn't look."

And, indeed, the name was there; for poor Limpy, in his Texan vanity, had not been content till he had had a pair of pistols with ivory stocks, and his name in gold letters on a plate on each.

The girl had thought that the Englishman had been telling a fib, but the evidence of her eyes was not to be denied, and he added:

"By-the-by, judge, if the gentleman is a friend of yours, he might take the return, from one of your men, more kindly than if one of my fellows was to go to his house with them. My men are apt to be very overbearing, I admit, and it is my policy to be as peaceable as I can, consistently with our rights. Will you be kind enough to take charge of them, and send them back to him?"

The judge took the pistols, and looked at them with a queer expression in his eyes and mouth.

"What in the world was Limpy Balstrop about, to let you take these from him, captain?" he asked. "He has the reputation of being what we call a pretty good man here. Did he pull on you first?"

Berkeley smiled scornfully.

"My dear sir, I don't give men like him a chance. But I don't care to brag before ladies. It was all a little trick I learned from a sergeant. Will you take charge of the things?"

The judge put them away thoughtfully, saying:

"Certainly. But it puzzles me."

Then the Englishman set to work to make himself as agreeable as possible, and, as he was a man who had seen a great deal of the world, and had to do with two unsophisticated country girls, who had never seen anything greater than the city of New Orleans, where they had stopped a few days, on their way to Texas, he had a very good measure of success.

When he rode away, that evening, Diana said to her sister:

"I like him, Helen, and you'll never guess what for."

"What?" asked her sister.

Diana's eyes flashed.

"Because he punished that brute of a Limpy Balstrop. But, oh, Helen, if he had only done it, himself. It was Balstrop that insulted him, the worst, and he so inoffensive. Oh dear, oh dear, why can we not have all we want in this world?"

To which remark, Helen sagely replied:

"Ah, but that's impossible, you know, Di."

And that night, when Diana Collingsworth went to bed, she was troubled with all sorts of dreams, in which two men figured prominently.

One of them was the Englishman, and the other was the man whom every one thought a coward, but whom she could not help loving, in spite of herself.

#### CHAPTER XXIV.

##### THREE DOSES ADMINISTERED.

DEAF SMITH was riding from his own ranch toward that of Limpy Balstrop, when he met that personage coming toward him, very slowly, looking thoughtful and depressed in spirits.

Deaf Smith and Limpy were old friends, and got on together very well; for Limpy let Deafy do all the talking, and never puzzled him to interpret what he said; therefore, when Smith

saw the other, he rode to meet him and saluted with:

"Waal, Limpy, and hev ye h'ard the news?"

Limpy shook his head.

"Why, they say that the boys is going to have a indigination meetin' at Punch Burleson's, and we're all invited."

Limpy shrugged his shoulders, as much as to say that the news was a matter of indifference.

"Yes," continued Smith. "I got a message from Punch, to say we was to come thar, and meet at his haouse. I dunno what's a-goin' on; but the boys is all to be thar, and suthin's goin' to be done."

Limpy looked up at him inquiringly, as if to ask what it was, and Smith understood the look.

"I dunno what it is, myself; but the boys will settle it, I'spose. Why, what in thunder air you a-doin', out, without your weepins, Limpy? That ain't prudent, in these times."

Limpy Balstrop colored furiously, but shrugged his shoulders, as much as to say it was a matter of very small importance, and Deafy said, in his most serious manner:

"Now, look a-hyar, Limpy, this ain't the right thing. It's all very well to have sand; but it ain't right to be a darned fool. You ain't got no call to be goin' raound the caunty, like a darned old shepherd, fur any man as meets ye to put upon. You go right home, and get your weepins. Why, man alive, ye don't know haow soon ye might want 'em, for one of them darned galoots of the company."

Then, as Limpy, not knowing what to say, hesitated, he added:

"Hyar I were a-comin' to see you, any haow, and I'll go home with ye. If we meet any one, I'll lend ye a weepin'. I've got two, thank the Lord."

With this pious thanksgiving, he turned his horse and rode along with Limpy, who had been trying to frame some sort of excuse in his own mind to account for the loss of his pistols, without too severe a shock to his pride. He had not yet settled it, when they saw a horseman coming toward them from the direction of the Collingsworth Ranch, and Smith, after a long look at the distant figure, exclaimed:

"That feller's a gay one, you bet. See the saddle, and the hull rig of the man. He must be one of the new galoots the company's got, to come hyar. Say, Limpy, let's me and you jump him, as he gits nyar. Take one of 'em fur me, boy."

He handed the other man one of his long pistols, and Limpy accepted it, with an eagerness that told how he would like an opportunity of retrieving his reputation.

For Limpy had recognized the distant figure, though Smith had not; and thought that in Tom Field, whom he had seen in all the bravery of new arms and velvet jacket, he might find a way to recoup himself from the mortification that Berkeley had made him suffer by his trick.

So they rode toward the stranger, who was coming along the river-bank, leisurely enough, as if he did not care to hurry.

As they came closer, Smith recognized in the other the face and figure of the man he had insulted so grossly, a few weeks before, and he laughed with the glee of one who thinks he has a sure thing, as he said to Limpy:

"By gosh, if it ain't that darned cowardly galoot, that calls hisself a doctor. We'll take his weepins from him, by gosh. Don't say a word, boy. Keep the old pistols hid, till we git clost to him, and then git the drop on him and jump him."

Limpy, nowise loth to have such a fair opportunity, and not by any means unwilling to use it, let his pistol-hand dangle by his saddle, and rode on, with his head turned toward Deaf Smith, with whom he kept up a show of conversation, with the intent of making the stranger think they did not notice him, when, in reality, they intended to surprise him, as soon as they got close enough to present their pistols and summon him to throw up his hands.

Tom Field, on the other hand, as he came on, appeared to have no suspicion of what was coming; for he rode on as unconcernedly as ever, and they could not see that he took any precautions as he came.

Neither of them noticed that he had a Winchester rifle lying across his knees on the saddlebow, for the reason that he kept his horse obliquing from before them, toward the river-bank, so as to get them on his left front, and they, edging away to the same side, as if by chance, to get near him without exciting his suspicions, never noticed that the weapon lay there, till they were within about a hundred yards, when he suddenly threw up his rifle and shouted to Smith:

"Put up that pistol, sir, or I'll kill your horse."

Deaf Smith, astounded at the sudden assumption of the offensive by a man whom he had always thought a mere coward, but relying on his own courage, dashed the spurs into the sides of his pony, and threw up his pistol, shouting as he came:

"Surrender, ye darned Yankee skunk!"

But he had made one miscalculation. A

Colt's revolver will carry one hundred and fifty yards, but it does not shoot as strong and well as a rifle at the same distance.

He had not taken two jumps when there was a crack and a flash, and down went the pony into the grass, while Deaf Smith went over his head.

Then Limpy Balstrop fired at the stranger; and his shot, fired from a strange pistol, missed at the distance used.

Then came a second flash, and down went Limpy's pony into the dust, while the stranger threw his rifle to the front of his saddle again, and galloped past the discomfited ranchers, without a word in response to their frantic curses at his behavior.

Limpy fired every shot, in his anger, but they were wasted at that distance on a galloping horse, and Deaf Smith was too much shaken up by the fall he had sustained to think of firing at anybody or anything.

When the little skirmish was over, and the two men found time to look at each other, the stranger was out of range, and two dead ponies lay on the grass by their masters, each with a hole in his breast just over the heart.

Deaf Smith was the first to speak, as he surveyed his animal.

"Well I am, darned!" was his emphatic remark.

Limpy Balstrop shook his head pathetically, but made no further observation on the subject, except to lay his hand on Smith's arm and beckon to him to follow him home.

They were about a mile from Limpy's ranch, and the two discomfited friends had to fact it all the way there; a hardship to a Texan that must be felt to be appreciated.

They arrived, tired and hot, sweating freely and parched with thirst, and saw at the gate the horse of their friend Punch Burleson, whom they found in the house sampling Limpy's whisky, and to whom they had to make a clean breast of the whole affair.

When Punch heard it, he was amazed, for he had been one of Tom Field's persecutors in the past, and had no intimation that the stranger had returned to the country.

When he heard what had happened, he observed:

"Waal, boys, that shows he's on the other side, and we hain't no need of no more inimies, naow. I come to see ye both."

Limpy explained.

"Deaffy told me abaout it. What's the racket, Punch?"

Punch put his head close to the other, and whispered:

"What d'y'e say to cuttin' the darned old fence to slithers?"

Limpy hastily replied:

"Can't be did, nobow. They keep too good a gyard on it, all night long."

Punch shook his head.

"The colonel and the rest of us has made up a scheme, boy, and it's baound to go through. You come to my haouse, to-night, and we'll see what we shall see. It's to be a meetin' fust, and do the biz arterward. Ef you're the man I take ye fur, and the rest of the boys is agreeable, we'll raise sich a muss as the company won't git over, in a hurry. Did ye know that the man they called Long Charley was gone up?"

"No," said Limpy, surprised, for he knew all the desperadoes that the company had had in their service, and Long Charley among the rest.

"I faound it aout, the o'her day, when one of my men was talkin' to one of the company's boys. They ain't all as bad as you might think. They don't seem to have no hard feelin's ag'in our men, if they have ag'in us. They git to talkin', and our men gits things out of 'em. It seems that Tomlinson and some more went off to the Injun country, and got into a muss with some one, over thar. They told us it was Old Cross-Eye; but, whoever it were, he fit like a streak, and killed three of 'em. Tomlinson was thar, and Long Charley got laid aout among the rest. Naow this Tom Field has come to the caunty, we've got to git him on aour side, boys. You thought he was a white-feather, but it seems he's changed somehow, and we want every man we kin git, on aour side. The men of the company says they've got it in fur him, too. Seems they had a shootin'-match up thar, and faound him in with Old Cross Eye."

"With Old Cross-Eye!" echoed Limpy. "Then that was whar he went to, and nobody knew. He must hev l'arned to shoot, up thar. Well, Punch, I ain't no hog, and I must say I've kinder changed my 'pinion abaout that young feller. We was kinder hard on him, and he only a Yankee greenhorn. I ain't goin' to pick on him, no more, ye kin bet. The man shoots like a old ranger, and he ain't to be sneezed at."

Punch grinned. He was rather rejoiced at the turn matters had taken; for he felt that the same discomfiture might have overtaken him, and he was saved from it by being forewarned.

"Ef I knewed whar he were, I might go and try to see him myself," he observed. "Guess

you fellers don't feel much like it naow. By the by, Limpy, whar's your weepins gone?"

Again Limpy colored furiously, for he suspected from a certain twinkle in Punch's eye, that the other knew the story of his overthrow at the hands of the Englishman.

"I don't wanter be wearin' them all the time," he said with an assumption of indifference, and then saw, lying on the table, the very pistols that had been taken from him by the Englishman, and colored deeper than before as Punch remarked quietly:

"One of the jege's men was hyar while you was gone and left 'em hyar. I don't know nothen of course, and if the company's men says anything, I'm prepared to deny the hull story."

Limpy held out his hand and grasped that of his friend with a warm pressure that showed how grateful he felt.

Then the rancher replaced the pistols in his belt, and Deaf Smith who had of course heard nothing of this conversation, remarked:

"That's right, Limpy. Don't let me ketch ye again out without yer weepins. It ain't decent. A man feels as if he hadn't no cloze on, in Texas, when he ain't beed. What's goin' to be did abaout this meetin'?"

They explained to him as well as they could, partly by signs and partly by words, as short and plain as they could make them, and the deaf rancher rose to take his leave, saying:

"I'll be thar to-night, boys, if I don't git laid aout afore then. As to that Tom Field, if ever I meet him again, I'll treat him civil, if I know whar I am, you kin bet. A man who kin shoot like that is a ornamint to Texas."

Such was the revulsion in popular feeling produced by the shots that Tom Field had fired that day.

Had he killed one of the ranchers, the anger of his enemies would have been increased against him; but, by showing his skill at the expense of the brute creation, which is cheap in Texas, he had gained golden opinions and earned friends.

The fact that the ranchers wanted friends at the time, had a great deal to do with this feeling, to be sure; but it was none the less sincere, because it was interested.

Punch Burleson and Deaf Smith rode home, the deaf rancher mounted on one of Limpy's ponies, which were plentiful enough.

As they reached the turning-off place into Deaf Smith's ranch, they spied in the distance, on the way toward Satanstown, the figure of a horseman and Deaf Smith recognized it in a moment.

"Thar's the very man," he said to Punch. "It's the same paint hoss, and the same gay rigging. By gum! I thought he was a-playin' off, all the time. That's a darned good man, Punch."

Punch waved his hand as he turned his horse to go after the stranger, and Deaf Smith shouted after him, warningly:

"Don't ye go to cuttin' up rough with him, Punch. He's all blazes on the shoot, I tell ye."

Punch laughed as he rode on, and soon overtook the stranger, who heard the tread of the horse-hoofs yet never looked back.

He rode steadily on at a walk, his horse champing the bit and tossing its head, while the rider carried over his left arm the rifle that the others had spoken of. The muzzle was pointing back diagonally at Punch; but the rancher never heeded it, and galloped on. As he came close, more from deviltry than any wish to hurt the stranger, he pulled out a pistol and raised it with the intention of putting a bullet through the other's hat as a gentle reminder that the spirit of practical joking was not extinct.

He thought the stranger did not hear him, and wanted to have a little fun at his expense.

He had just got settled to his aim, when he was surprised by the flash of a rifle, and the next instant the bullet passed through his hat; while his own ball, his aim wavering in the surprise of the shot, went harmless in the air over the other's head.

The stranger had fired at him with his back turned to the mark.

Punch was astounded at the feat, and none the less so when the stranger turned his head and the pony at the same time, while he cried with a menacing air:

"Come, sir, if you want any more of that sort of thing, I'll send the next shot a little lower!"

Then Punch saw what explained the apparent mystery.

Tom Field had a small mirror in his right hand, and had fired the shot by the reflection.

The rancher had seen such things done on a stage, designedly; but here was a man who did them in the open air, with a coolness that showed him a perfect master of his weapon.

Punch put up his pistol at once, and held out his hand, observing:

"Sir, you're the best shot I ever seen. I apologize fur the joke. I were a-goin' to put a hole in your hat fur fun, and you've sp'iled mine instead. Shake."

Tom Field kept his rifle over his left arm, with his right hand at the lock, in an attitude that Punch did not like, for it showed that the other could shoot from the hip, by the eye alone, as well as any other way, and made the rancher feel nervous.

"I mean it, stranger," he protested. "I know we'uns hev treated ye bad; but by gum, we ain't on that trail no more, now. We want ye to be friends, and hyar's my hand on it."

Tom Field eyed him narrowly, and at last said:

"Mr. Burleson, I never injured you in any way, neither did I any of your friends, I came here to live a quiet life, and let others do the same. Instead of that, you have all set on me, without giving me any sort of chance, and have tried to make my life a very hell on earth. I had never fired a pistol, and you presumed on that to insult me, and call me a coward, when the real cowards were the men who took the advantage of my defenseless condition, to drive me out, by numbers. Now the boot is on the other foot. I can outshoot any man in this county, except Hank the Nailer, and he is the only man who never gave me anything but kind words; when the rest of you were insulting me, on every possible occasion. Now you pretend that you want to be my friend. How am I to know you are not trying to take advantage of me, and do that by treachery that you dare not do by open force? If you are sincere, give up the arms that you carry in your belt, and show that you dare trust me with your life."

Punch Burleson listened to what the other said, and when he had finished the cheek of the rancher was redder than its wont. He laughed in an uneasy sort of way as he replied:

"Waal, now, it seems to me, sir, that I'm jest abaout as much in your power as you might wish a man. Hyar you've got me kivered, and I hain't got my pistol on you at all. I don't deny that we'uns treated ye bad. I jest admitted it. But, if ye doubt my word, I hain't no more to say than this. Jest let's settle it, fa'r and squa'r, hyar on this spot."

Tom never took his eyes off the rancher as he was speaking, and when he had finished, he answered, with a sigh of some relief:

"No, there is no need of that. I believe you now. You are not afraid to be killed. I will take your word that you mean me honestly."

Punch instantly put his pistol back to his hip, out of the way of a quick snatch, and said:

"Come, that's the talk for a man, stranger. Your name's Field ain't it?"

"Yes, sir."

"Waal, Mr. Field, I'm glad to meet ye."

#### CHAPTER XXV.

##### THE RANCHERS' MEETING.

THAT night there was a meeting of riders, who came, from all quarters of the compass, to Punch Burleson's ranch, though there was no moon to guide them on the way.

The odd thing about the meeting was, that no one left his house till after eleven o'clock at night, had the time been counted by watches, in Satanta county, which it was not, as a general thing.

They came slowly from the house, and went to the sheds where the horses, that were wanted for immediate use in the daytime, were generally kept; and rode slowly down the lanes to the river-side one by one, at a foot-pace.

The strangest thing about their riding was that it was absolutely noiseless, from the fact that every horse had its feet tied up in strips of old blanket and sacking, to muffle the sound.

There was never more than one horseman at a time, and he never rode faster than a walk, and kept in the middle of the road, between the two fences.

It would almost have seemed a meeting of ghosts, so stealthily and silently did each go forth.

On the other side of the fence, in the ground of the cattle company, these night-riders could hear the sound of voices, that showed where the men of the rich corporation were on guard, over the barbed wires, that had caused so much bad blood in Satanta county.

These guards had become tired of their task by this time, and had the habit of getting into groups and talking, to keep themselves awake.

The silent riders went on, as if they had arranged their plan of action beforehand, and took the way to the river, thence skirting along the bank, till they came to the ranch of Punch Burleson.

It had been selected, for the reason that it was the central one of the lot, with an equal distance to either extremity of the line.

By midnight, quite a number of men had gone up Punch Burleson's lane, and disappeared under the big shed, which he kept ready, at all times, for the sale of horses to chance customers.

After they had put up their animals, they came out on foot, and went to the house, which was a small and unpretentious edifice of logs, that looked as if it contained only one or two rooms.

As a matter of fact, it had three.

The front had two, and a long extension was run out of the back, in the shape of a cross,

which contained one long store room, for the use of Punch's cowboys.

In this room, with the windows darkened with blankets, so that no gleam of light shone outside, were gathered, that night, all the ranchers of Satanta county, with the exception of Judge Collingsworth, and the buzz of conversation was kept up, in low, guarded tones, that showed the caution of the men who composed the meeting.

But the ranchers were not the only people in that room, for every man had brought his cowboys with him; and the cowboys were as much interested in the matter at issue as their employers, for there is nothing on earth more faithful to his chief than a Texan cowboy.

At last Punch got up, and rapped on a table for order, when a hush came over the scene, and he said, in a low distinct voice:

"Gentlemen, you know what we're hyar fur. What d'ye want to say abaout it?"

"Colonel" Callahan got up, and said:

"I move we organize a meeting at once, and put Mr. Burleson in the cheer. All agreeable will say ay."

There was a low murmur of "ayes" over the room; and Punch, with the pride of a true American at being chosen to preside over a meeting, smiled all over his face, as he asked:

"What's the pleasure of the meetin'?"

Then Limpy Balstrop got up, and everybody looked at him with attention; for the story of his discomfiture at the hands of the Englishman had gone over the county, though every one pretended not to believe it. Limpy looked rather awkward as he rose, but he knew everybody there, and managed to speak to the point.

"Gentlemen," he said, "ye all know that, when we come hyar fust, there warn't a fence in the hull caounty; and we come hyar and made the caounty what it is, now. We come hyar, when the Injuns was round, and there ain't one of you, hyar, but what's had his scrimmages with the greasy cusses. Well, we driv 'em aout, and got the caounty in order, and we was all happy. We had our ranches, and the cattle was growin', and we was a-growin' with 'em and nobody owned the big prairie, outside, but the State. Then comes this hyar cattle company, and tells us it's bought the hull of the caounty, without givin' us, who'd made it what it is, a chance to say yea or nay. Then they comes and puts up this darned, diabolical fence of theiern, as if they'd meant to do the most damage they could; and by gum, they did it."

"You're right, thar," broke in Punch Burleson, without any more regard to the dignity of the meeting than if he had been talking in a bar-room. "I lost a good broncho, the very fust night; and he's gone lame ever since. The darned ornary galoots!"

"And so did I," chimed in another man, while the "colonel" contented himself with the remark: "Hear! hear!" which, he had heard, was the proper parliamentary way of expressing approval of a sentiment.

Limpy, excited by the approving cries, looked round him, in the proud consciousness of a man who has his audience with him, and went on:

"Waal, gentlemen, what's goin' to be did abaout it? That's what we've got to settle to-night. We've tried to git justice at Austin, and they won't give it to us. We've offered to buy the land from the cattle company, and they won't sell to us. It's true they offered to buy us aout; but they hain't offered us no price fur the land, and, when we go aout of hyar, what air we to do with aour beasts? Naow, I'm allers in favor of the rule of the majority, and I want to hyar what some one else has got to say abaout this."

Then Limpy sat down and wiped his forehead, as a man who had been engaged in a tremendous intellectual effort.

He was succeeded by a blank silence, which lasted for some time, and at last the chairman said:

"Thar's a gentleman, hyar, as some of ye know; but I didn't, till to-day. He's what they call a' eddicated man, an' I kin sw'ar that he shoots a streak; fur I've see'd him. Gentlemen, allow me to introduce to ye Mr. Thomas Field, who has come to settle amongst us, if he kin buy a good place."

All eyes were turned on the young man, whose fine clothes had attracted the attention of more than one; but who was comparatively unknown, from the time he had been absent.

Field rose up quietly. He had no feeling of embarrassment, for the simple reason that he was the only man of education in the room. He rose with a smile, and looked round him.

"Gentlemen," he said, "I don't know that anything I could say would have much weight with you; but it seems to me that you have only one method of redress, and that is to go to the Legislature with your wrongs, and elect men thereto who will fight for your rights. I am not a believer in the doctrine that the State has any right to sell land to private persons, at the expense of the people who make the land valuable, if it has any value at all. This fencing-in of the prairie outside, and debarring you from access thereto, when the company really owns a strip of ten miles wide, is an outrage. My advice is to go to the Legislature when it meets."

But his words had very little effect, and the faces of the ranchers and cowboys showed that they thought him a visionary.

"Colonel" Callahan got up immediately, and said:

"Yes, that's all very well; but in the meantime the cattle are goin' to ruin, and the legislature don't meet till a month. Now, I'm goin' to take the bull by the horns, gentlemen. Punch Burleson and me, we've b'en a-talkin' this thing over fur some time, and we came to the conclusion that that's only one thing to do, and that is to cut the darned fence to flinders in one night, and hyar's the tools to do it with."

As he spoke he produced from the pocket of his loose deerskin coat a pair of nippers, which action had the singular effect of making every man in the room, with the exception of Tom Field, go into his own pocket, and produce an implement of exactly the same character.

"We've stood enough from the darned skunks," continues the "colonel," "and naow it's time we struck fur aour rights. Gentlemen, there's no time like the present. I move that we resolve aourselves into a cuttin' committee, and go to work this very night. The gyards has got keerless, and were all together. If we meet them we'll take them by surprise, and that's the time to give them what they give us on'st."

The sentiment evoked such universal approval that it was evident ranchers and cowboys were alike ripe for mischief, and the chairman, without waiting for the seconding of the motion, cried:

"Gentlemen, it is moved that we make a committee, and go to work this very night, and rip the darned old fence to pieces. Air you ready fur the question? All in favor will say ay."

And the deep murmur of "ayes" that went up from the crowd, showed that they were in earnest.

Then some one asked:

"But wbar's the jedge all this time? He oughter be in line with the rest of us."

There was a short silence, and then Limpy Balstrop spoke up:

"I went thar to give him the message, and got into a muss, boys. Waal—to tell the truth I got the wu'st of it, and didn't give him the message. He'll be with us when it's done. And now, the only thing to do is to make every one in this room sw'ar to hold his darned tongue abaout what's goin' to be did."

Tom Field rose up, and all eyes were fixed on him with a decidedly hostile expression, for they had not forgotten his pacific advice, and did not want to hear any more of it.

"Gentlemen," he said, quietly, "I can't say that I am surprised at what you have resolved on; and although it is against the law, there are times when self-preservation is above all laws. But, before you go any further, let me say something. Judge Collingsworth may be inclined to take the offer of the company. In that case what would you do to him?"

The question started a buzz and one man cried:

"What d'ye mean, stranger? He wouldn't dar' to do it. We'd make Satanta caounty too hot to hold him, if he went back on us."

Field bowed.

"Just what I wanted to find out. But you must remember that he has daughters, and that he might do a great deal, for their sakes, that he would not do if he were unincumbered with a family. Now you are going out to do a very dangerous deed. Are you prepared?"

Punch Burleson laughed as he replied:

"Mr. Field, did you ever hyar of *Kukluxin'*? We had a little of it, daown this way, on'st on a time, and we hain't furgot it. You've got to ride with us, you know; or it'll be the wuss fur you. You're a good man on the shoot; but ye can't fight a hull caounty."

Tom Field paled slightly, but his tone was firm as he answered:

"I have faced a whole county, before this, when I had not so much as a knife. I have no fear of death. But I have no wish to deter you, if you are determined on doing what you are about to do. It may be the best thing, in the end. But you know that the men in the service of the company are all sworn special constables. Suppose you are recognized, what then?"

Limpy Balstrop tapped his revolver significantly, as he answered:

"So much the worse fur the man that spots me."

"And me too," muttered several other men.

Then Punch offered Field a hood, cut in the old "Kuklux" pattern, with holes for the eyes and mouth; a perfect disguise for any sort of person.

"Come," he said. "it's time we was off. Who'll be captain? We want one head."

With one accord they all murmured: "You, you," and Punch assumed the command, with a readiness that was explained by the fact that he was an old Confederate soldier, and had fought in many a battle, where the military "Colonel" Callahan had never been heard of.

As they went out, Punch whispered:

"Now, boys, keep together, and if ye come across the company's men, give 'em *cold steel*, if ye kin."

#### CHAPTER XXVI.

THE NIGHT-RIDERS OF SATANTA COUNTY.  
A LONG string of silent horsemen, moving across the prairie in the dark.

They marched like Indians, one after the other, and the feet of their horses made no noise.

Presently the head of the file turned to the right, and a slight sound, like the hiss of a snake, was repeated all along the line, as each follower came to the place where the leader had turned.

They had come to the line of the barbed-wire fence, and moved straight along it.

Presently the leader halted; turned his horse to the fence; and the rest of the men behind him did the same.

There was another faint hiss from the head of the line, and it was closely followed by the sound of a succession of sharp clicks, as the men stooped from their saddles and snapped the wires apart with the powerful nippers that each carried.

There were three distinct clicks, and then the line of horsemen moved on. Where there had been a fence of three wires, a moment before, there was a blank now. The wires had been cut all along the line, and the fence destroyed.

The line of horsemen numbered about sixty men, all told, and stretched for a third of a mile, being arranged at the distance to take a panel to each man, at one nip.

They were first engaged at Punch's ranch, and, by the time they had marched round it, they had demolished the fence entirely, and Punch's cattle were free to roam as they had done before its erection.

And all the time they had not met one of the company's guards.

Then they took their way, straight across the range of the company, to Limp Balstrop's property, and did the same destruction there, with silence and celerity making a clean breach across the ranch a third of a mile wide. They had found, from the time it took to destroy, that they could not do the job thoroughly to more than three ranches in one night.

They found no guards about; but they attributed that to the distance they kept from the log-palace, which was the head-quarters of the company.

From Limp's place they went to Deaf Smith's ranch, and here it was that they first ran on the guards, that they had hitherto escaped.

Punch was stooping down to cut the wires, and his men were following his example, when they heard the distant but unmistakable patter of horse-hoofs at full gallop.

They all looked round instinctively, and saw bright flashes in the darkness, out on the prairie. Then came the crackle of fire-arms, and Punch said, in his cool, guarded tones:

"Now, boys, remember, no firin' if ye kin git along without it. Lay low and give it to those cusses when they come clost. Thar ain't many on 'em, from the sound of the hoses. Don't let one of 'em escape. Thar bullets ain't nothen, in the dark."

Had he shown the least excitement, it is probable there would have been a stampede, for there is something in the work of men who know they are in defiance of the law, however bad the law may be, that disposes them to timidity; but the cool tones of the veteran—for Punch was a real soldier, who had seen more than fifty desperate fights—calmed them down, and they went on cutting, following the example of their leader.

The flashes of pistols in the dark, had been the only indication that an assault was to be made, and the wildness of the fire had only inspired them with contempt.

Theo the appearance of a little knot of men on the prairie was followed by the rush of a dozen of the company's guards, cursing savagely, as if they hoped to overawe and cow their opponents by their first dash.

But, this time, they had reckoned without their host, for, as soon as they were within fair range of a charge, the fence-cutters made a swift, silent dash, with their knives out, and, in another minute, the men of the company were fleeing for their lives, all mixed up with the night-riders, while the sound of savage cursing, and the dull thud of blows, was mingled with the irrepressible shriek of agony of man after man, stabbed to the heart and fallen from his horse.

Then arose, in spite of Punch's efforts to stop noise, the old yell, heard so often of yore on many a stricken field—the regular old-time "rebel yell" that carried terror to so many, when it rose over the rattling volleys of the charging line.

The fence-cutters had lost all control over themselves, and raced after the discomfited constables of the company, chasing them like hares, and running down ten, out of thirteen, who came on, in less than three minutes.

Then Punch Burleson, who had thought of everything, with true military precaution, blew

a whistle to call back his men, and they came back singly, with the intelligence that they had "wiped out ten of the cusses that had come to run Satanta caounty to suit themselves, and they'd got *thar gruel*."

"Then don't make no more fuss abaout it; but go out and do the rest of the work to on'st," said Punch, in his crossest tones. "One would think you fellers had forgot the war was over, and this is all outside the biz we come to do. Come on, boys. We got to hurry."

This time they rode at a canter, and dropped all thought of hiding their trail; for the alarm was out, and they had work to do yet.

That the death of the party that had first attacked them would deter the rest that night they thought very probable; but they also feared that in the morning the investigation would be searching.

They were getting further and further away from the company's head quarters, and as fast as they destroyed the fences around each of the ranches, the owner of that ranch went home happy, while the rest went on. It was necessary, if the enemy chose to visit a house in the capacity of constable, that he should find the owner at home, prepared to swear to the most uncompromising of "*alibis*."

But they did their work well that night, and when the Honorable George Berkeley rose up the next day and took his morning ride abroad, as was his custom, he found that the fences for miles had been leveled with a thoroughness that admitted of no repair, unless the company sent down the wire for a whole new fence.

The posts had been left standing in most places simply because the night-riders had not had time to pull them up, and the destruction had extended along a space nearly twenty miles long.

As for the herds of the company and the ranchers of the neighborhood, they had scattered all over the country in the old style, and the guards, that had been amply sufficient for the needs of the herd as long as the fence was there, had all they could do to keep their cattle in without instigating any inquiries as to who cut the fence, much less arresting any one, in a country where every man carries arms, and there were no magistrates nearer than Satans town.

Judge Collingsworth's ranch was the only one that had been left untouched by the night-riders; for the reason that he had not attended the meeting, and when he heard what had been done the old man seemed to be getting very nervous, and told his two daughters that he had some business abroad.

Then he rode away across the prairie toward the ranch of Limp Balstrop, and found that the way was open all around, and that the company's animals were running as wild as Mavrics.

And he had almost made an agreement with Captain Berkeley to throw his herd into the company's stock.

But the first raid of the fence-cutters opened the eyes of the judge to the impolicy of taking sides till he was quite sure that the company was the stronger of the two parties.

It showed him that the whole of the county was against the strange company; and in Texas that means a good deal that it would not elsewhere. In Texas the regard for law is a recent sentiment, born of the fact that people in other parts of the Union called the Texans "barbarians," on account of their "lynchings" and other eccentricities. They have become ashamed of the fact that everybody thinks them lawless, and have set themselves to keeping the law, in spite of all temptation. But they are as fond of a free fight as ever, and as ready to resort to pistols, as of yore.

When the judge saw that the people of the county were aroused, he thought it time he joined the movement himself, and rode over to Limp's to ask "why he had not been invited?"

On the way he thought he would drop in at the English captain's place and tell him that "he had thought better of the plan proposed, and would have to hold it under advisement for a time, till the legislature met."

The judge believed in the legislature. He would not have been a true American, much less a true Southerner, if he had not.

He believed that the legislature was a panacea for all evils, and that in its healing bosom all sins might be purged.

And, till the legislature met, it was certain that the company would not get a chance to set up very many more fences, if the people of the county had united in the determination to cut them, as fast as they were put up.

As the judge thought of all this, he saw the tall figure of Berkeley, ahead of him. The Englishman, for the first time since he had come to Texas, instead of his usual suit of brown tweed, with no arms in sight, had slipped a dust-colored short blouse, with a belt, and carried two revolvers in holsters at his hips, while his saddle was furnished with holsters, presumably for more, and he carried a rifle at his back. The Honorable George had become an arsenal.

As usual, he was not alone, but accompanied by the smiling and polite Tomlinson, who was

showing him the lines of broken fences. When they saw the judge, the Englishman reined up to let the other catch them, and when he came near, said:

"Ab, good-morning, sir. Confounded nice people, these countrymen of yours. They have a good deal of respect for the laws of their State, haven't they, sir?"

Collingsworth screwed up his face.

"Well, they seem to have done it pretty effectually, at all events, captain. It will cost the company a very pretty penny to pay for all this."

Berkeley turned round in his saddle and stared at the judge as if he thought he must be joking.

"You don't suppose, sir, that the company is going to pay for these fences, do you?" he asked, with a supercilious air that made the judge angry.

"And why the deuce shouldn't they, sir?" he retorted.

Berkeley smiled in the same supercilious fashion.

"My dear sir, I thought you knew more law than that. The county will have to pay for it, and if the county is too poor then the State will have to foot the bill. The State sold us the land, and the State will have to keep us in possession."

The judge heard what he said, and his anger was kindled at the words of the Englishman, the more so that he feared they might be true.

"At all events," he said, "this alters our relations, captain, as you must see. I connot enter into the agreement you asked me yesterday. Times have changed and men change with them. I must decline the offer you made me."

For the first time since Berkeley came to Texas he lost his temper. The destruction of his fences had been a heavy blow, and he fore-saw that it would cause trouble among the stockholders, who entered into the scheme with the idea that it was to be all profit. Now they would have to put up a great deal of money, even in the event that the State ultimately paid the bills, for law costs money.

The remark of the judge showed him that the cautious old Texan was going to desert him, and he answered in his first irritation:

"As you please, sir. It seems to me that all you Texans are tarred with the same stick. In my country the word of a gentleman is worth something."

"Then the sooner you go back there the better it will be for all of us," snapped the testy old judge. "I never gave you my word for anything, sir. I said I would *think of it*. I have. Good-day, sir."

#### CHAPTER XXVII.

##### A DUEL TO THE DEATH.

THE English overseer looked after the judge as he rode away, with a scowl that was the first revelation of his true character he had made since he came to Texas.

Tomlinson saw it, and the desperado smiled to himself; for he had fears that his chief was not a bad enough man for the work he was engaged on in face of the hostile ranchers.

But the scowl showed that Berkeley was as bad as any man need be, and his next words told Tomlinson that he had gaged the mind of his companion truly.

"That man's got to be disposed of," he said, with the cool air of one who talked only of killing a calf. "Tomlinson, there is such a thing in this country, I believe, as picking a quarrel; isn't there?"

Tomlinson grinned.

"Thar is, Cap."

"Then it strikes me, Tomlinson, that here is a case where the process might be advisable. Remember he must be the first to draw a weapon. You understand what I mean?"

"Reckon I do, Cap. I've often done it on my own hook, ye know."

"Then the quicker it is done, the better."

And the aristocratic scamp turned his horse and rode away, while Tomlinson, who understood the hint he had received, put spurs to his horse and rode after the judge, who was going to Limp Balstrop's ranch, the next to his own.

The judge was so intent on the trail of the night-riders and the damage they had done, that he did not hear Tomlinson's horse, till the desperado was close alongside him, when he turned his head, and Tomlinson accosted him familiarly.

"Hello, jedge, haow goes it?"

The judge was a man of great personal dignity, and he drew himself up to reply:

"Sir, I don't know you. I shall be obliged, if you would transfer your civilities elsewhere." Tomlinson laughed.

"Oh, that's all very well, old man; but you can't come that over me. You was aout last night. Oh ye're a sly old fox, jedge. I know ye, of old."

The old man stared at him, and his face flushed with anger; for he felt that the other was trying to pick a quarrel with him, and the judge had plenty of pluck.

"Now look here, Mr. Tomlinson—" he began, when the other burst out into a fit of contemptuous laughter:

"Thought ye didn't know me. Haow d'ye know my name?"

The judge reddened deeply as he retorted:

"One may know any sort of public scoundrel, by name and reputation, sir, without being compelled to recognize him socially. Get out of my path, sir."

And the hot-headed old Southerner instantly drew his pistol; for he saw that the other was bent on provoking a fight, and he was resolved on giving him the first bullet, before he could draw his own weapon. He saw, too, what Tomlinson did not see, the figure of a horseman coming over the prairie, behind the desperado, from the direction of Punch Burleson's ranch, and recognized the form of Tom Field, who was galloping straight toward the pair.

He had gotten his pistol out of the holster, and almost cocked it, when Tomlinson, who had had his hands down by his side, under the Mexican *serape* he wore over his gray jacket, suddenly fired from under that shelter, a cowardly shot, that he had trained all the time he had been speaking; and the poor old judge threw up his arms, his pistol going off as he did so, and fell under the feet of his pony, with a faint cry, shot through the middle of the breast.

The next minute came a shout in the rear, and the desperado turned his horse to see the stranger, whom he did not recognize at first, coming over the green plain as fast as he could go.

Tomlinson saw the gay velvet dress, and thought it the sure mark of one of his own class.

Who it could be, he did not know; but he threw back his *serape* instantly, and prepared for action; for the duel on horseback was one of his strongest points, and one on which he prided himself particularly.

The two men wasted no time in words. They seemed to recognize an enemy as soon as they set eyes on each other.

Tom Field had his Winchester rifle out, and fired as he crossed the desperado's path diagonally, while Tomlinson threw himself over the side of the horse, in the Indian fashion.

The desperado had a rifle as well as the man who was coming; but he had not had it out in time.

He had attacked the judge with a derringer, which could be hidden in the hand, and kept under the shade of the *serape*, while his Winchester had been strapped to his back. He managed to get it out as he went over the side of his horse, but not before his animal had received the shot intended for himself.

It had been fired to strike him in the side, just above the belt, but as he went over the other side of the horse, Tom Field changed the aim, in time to take the horse in the side, and dropped it on the grass, stone-dead.

This was by no means a disadvantage to Tomlinson, as far as the duel went, because it gave him a shelter for his body, under which he could fire at the other, as he rode about, exposed.

But Tom Field, on his part, as soon as he saw the pony go down, put spurs to his own horse, and galloped by the fallen steed, at full speed, jumping into the only thing he saw exposed by Tomlinson—the head of the desperado.

That head was behind the sights of a rifle, and shot after shot was returned as Tom sent them in, with an accuracy that showed Tomlinson had not lost his coolness.

The speed of the horse was against any execution for either party; but it told against Field the most; for the other man was lying down, and had a steady rest, while Tom's pony was on the full jump.

Had it not been trained for the express purpose of firing from its back, the disadvantage would have been greater; but Tom had trained it, up in the lonely ranch at the borders of the Indian Territory.

The ten shots in each rifle were delivered in less than ten seconds; for neither man had any idea of being shot down while taking aim.

Tom felt several sharp twinges, as he was grazed by the bullets of the desperado, but none of them seemed to make a disabling wound, and he rode on at speed, till he had exhausted his magazine, when he passed out of range to reload.

It was his first duel, and he felt a strange sensation of exhilaration, as he realized that he was not hurt yet.

He had recognized Tomlinson, and had seen the desperado shoot down the old judge. He had sped to avenge the murder, as if he had been a born Texan. All his former scruples fled to the wind at the sight of the old man, as he fell.

Hitherto he had only fired at animals or targets, and the words of the old judge flashed through his mind at that moment: "I've seen many a man wear a whole arsenal of weapons, who would run like a hare, if he had to use them at targets that fired back at him."

Now he was firing at just that sort of target. It was firing back at him, with an aim that showed the person behind it was no fool, and he remembered that the last time he and Tomlinson had met, the desperado had out-shot him.

Would he out-shoot him now?

There was not much time to think about it. The poor judge was still lying there by his pony, but Tom could see, from the way in which he moved that he had not been killed. The poor old man was writhing about, and trying to rise. Tomlinson was kneeling behind the body of his horse, reloading his Winchester, with a coolness that showed he had not yet received a wound.

Tom directed his eyes upward for a moment and his lips moved, but he said no audible words.

Perhaps his prayer was none the less heard.

Then he set spurs to his horse, and came down on the kneeling desperado at his best speed, the pony fairly leaping out of its skin in its eager rush.

Tomlinson drew up his rifle to fire, and Tom put in practice a trick which he had learned from his friend Wild Cat, in an Indian drill that he had seen up by the ranch of Old Cross-Eye.

Watching for the flash, he made his horse swerve from the path, and, as he expected, the shot went by his side, and sped on harmlessly.

It passed his shoulder, and showed him that Tomlinson was firing low, to hit him in the breast.

The flash had not yet fairly bidden itself in the white smoke, when he fired back into the puff, and saw something that made a spring to one side, and then fell over.

He had hit Tomlinson, though how severely he could not tell; for the desperado was again sheltered, behind the carcass of the pony.

Then Field remembered what Wild Cat had told him an Indian would do, in such an emergency.

"Make the horse do the work for you. It is dangerous to go near a wild beast, when it is wounded."

He circled off in the Indian fashion, with the object of getting to the other side of the shelter and making Tomlinson move out.

His pony was fresh and swift, and had been trained, not only by himself but by Wild Cat, for a war pony.

It would stop as soon as its master jumped off, and wait for him to remount, and Tom had determined to take advantage of all the tricks he knew.

He swept on at full speed, and, as he circled the dead pony, saw the desperado drag himself slowly round the shelter, with a motion that showed he was either badly hurt, or afraid that he would be, if he showed a single inch of his body.

Once he got another chance, and was about to fire, when the flash came again, and the hiss of the bullet was so close that it tore the flapping side of his jacket, and left a hole there, that showed how he would have fared, if it had been tighter.

The flapping had deceived Tomlinson's eye.

True to the teaching of his Indian friend, Tom sent a bullet back into the smoke in answer to the messenger at his own door.

Whether it took effect or not, he could not tell any more than a man in a battle, but he sped on till he was out of the smoke, trying to get round his enemy's flank.

Presently he saw Tomlinson's *serape* coming into view, and it lay quite still.

On he went till he had got round the side of the horse, and the figure of the desperado was fully revealed lying there.

The hand lay on the back of the pony and the rifle was nowhere to be seen.

The desperado was apparently dead, lying on his face, half-supported by the carcass of the pony.

Then, had it not been for the wise counsels of his old friend that came into his mind at that moment with peculiar force on account of the way in which they had come to him, Tom Field might have fallen into a serious mistake.

He had actually turned his horse's head inward, to ride up and examine the body, when the counsel of Wild Cat flashed over his mind.

"When you think your enemy dead," was the counsel of the savage, derived from many an Indian fight. "It is cheaper to waste an arrow on a dead body than to receive one from a live warrior."

The moral of the counsel was not altered by the substitution of bullets for arrows.

Tom Field halted his horse and drew up his rifle to fire, when the wisdom of the Indian's advice was strikingly exemplified.

Tomlinson, who had taken the desperate chance he had in the hope of hoodwinking the young man into coming near him unguarded, had been watching him as he rode and as soon as the horse stopped the desperado rolled over and fired at him.

The fact that he did not leap to his feet showed that he was hurt, but his aim was as good as ever, and Tom Field fell back before he could level his rifle.

For a moment he hung on the croup of his horse and then slipped down and lay extended on the grass, to all appearance dead.

The desperado slowly rose up, and smiled as he muttered:

"Aha, young feller! It ain't allers safe to think a man's dead till ye've see'd the grave."

Then he advanced slowly over the grass toward the body of the other, walking as if he was severely hurt, which was the case. Tom's first bullet had done the most damage when Tomlinson had risen to his knees to fire.

For that moment the desperado's whole body had been exposed, and he had received a ball through the bowels, that promised to end his existence in a short space of time—not more than a week, at furthest. But Tomlinson, like most men of his class, had that much of the savage about him, that he was willing to die, if he could only get his revenge on the man that had shot him. He had shamed death on purpose to get the other near him, and it had never entered his head that a young man who had never had any experience in fighting, would retort the trick on himself.

His only fault was in not knowing that Tom had been taught by an Indian warrior.

The Indians have long reduced the art of fighting on horseback, one at a time, to a science; and the youngest warrior who has passed through their war drills has all the theoretical knowledge of the oldest, though he may lack its application.

Tom had been an enthusiast about the Indians, and they had been proud of their pupil.

Wild Cat, in particular, had taught him most of the Indian drill, and had given him particular instructions about the way to sham dead and outwit an enemy who has shamed dead.

When Tom saw the flash of Tomlinson's piece, he realized the game of the other, and dropped off the side of his horse, on purpose to dodge the bullet, and make the desperado think he had killed him. The ball had really struck him, not where Tomlinson had aimed it, in the middle of his body, but had passed through the flesh of the side, just above the hip bone where the largest muscles of the human body are situated.

It had made a wound, not deep, but very sharp, and accompanied with a tremendous shock as slight hurts often are in battle.

He had fallen from his horse from faintness, but retained his coolness under the strain; and saw the desperado coming slowly toward him, hobbling, with his rifle for a support in a way that showed he was hit hard.

Tom lay still, and the words of the old Indian again flashed through his mind.

"A death-blow," said Wild Cat solemnly, "is the only one that a warrior never repents. The heart of a man is the life of a man."

Tom lay there on his back, and his enemy watching him keenly as he came; but Tomlinson had not got his rifle trained on his foe. As the desperado came within range, the younger man suddenly leveled his own piece as he lay, and fired. The shot struck Tomlinson in the heart, and he fell dead.

## CHAPTER XXVIII.

### SURGEON AND FRIEND.

TOM FIELD had killed his first man in fair fight, and, as he saw the desperado go down, he felt a strange sensation of mingled sorrow and triumph. A moment before, there had been a fine, stalwart man, with a handsome face and the skill of a trained warrior. Now it was reduced to a heap of senseless clay, and the young man slowly rose to his feet and stared down at the body, as if he was spellbound.

He, Tom Field, who had been the gentlest of men; who had shrunk from quarreling, from his sensitive and artistic temperament, had killed a man in fair fight, and that man the most noted desperado in that part of Texas.

He himself was hurt, but the hurt was a mere trifle, as he knew, when he came to examine, from his own medical knowledge.

He hastily bandaged it, and started over to see how badly the poor judge had been hurt.

He was able to mount his horse; rode there, and found the old man on the grass, moaning feebly, with the hot sun shining into his eyes.

He was shot through the middle of the lungs, and Tom saw that, if he were not removed from where he was lying, he would stand a chance of dying in a very few hours.

The young man lifted the head of the old one, and gave him water, from a flask he carried with him. The judge swallowed it eagerly, in the intense thirst which is always produced by a wound, and asked:

"Who's that? Is that you, Field?"

"Yes, sir," answered Tom, soothingly. "It's all right, sir. You didn't know I was a doctor. I am, and I'll manage to bring you through. I killed the fellow that shot you, sir."

The judge opened his eyes and stared at the young man who was supporting him, as he whispered:

"Field, I am afraid I was very rude to you, the other day. I apologize. I made a grave mistake."

"Don't think of that, sir," replied Tom, as he began to wash the wound, and put a piece of lint on it, with strips of plaster, the only way the orifice could be stopped, in a wound of that kind.

"He was close to me," continued the judge, in the same tone, as if he wanted to say what he could, while there was yet time. "I saw him

go down, and I heard the shots. And you killed him? Field, you must be a hero."

Tom had finished his talk as far as he could get, and now he rose to look about him, and try to find one of the judge's men.

Instead of that, he saw the figure of the English overseer of the cattle company, coming over the green grass, followed by several men.

For a moment the blood rushed to Tom Field's heart; for he had been a witness, at a distance, of the short interview between the Englishman and the judge, and had seen the latter start Tomlinson on his errand of death.

He knew that the men in Berkeley's service were all desperadoes, and thought it quite likely that they might attack him then and there.

He ran to his horse at once and mounted it, when he cast a swift glance over the horizon and saw to his great joy, at a distance away but still in sight, a number of men, whom he thought must be the neighboring ranchers.

He hesitated a moment, and then saw that it would not do for the Englishman to get hold of him before his friends came to his assistance. The judge was past help, unless he could be taken to his own house, and the young man took his resolution and acted on it at once. He galloped off as hard as he could toward the new comers, and heard the sound of shots behind him which told that the resolution had only been taken in time.

The Englishman was pursuing him, though for what motive he could not tell at the time.

But he was confident in the speed of his horse, and the whistling of the bullets did not disturb him so much as they would have done an hour before. He had smelt powder, and found that it is not every bullet that hits the mark it is aimed at in a fight.

Before long he recognized the figures of Punch Burleson and a dozen or more of his and other ranchers' men, and galloped up to them.

They had heard the shooting, and came down to see what was the matter.

"They've hit the judge," he explained hurriedly, "and I've killed Tomlinson for it. Come on and help me take the judge home before he is quite gone. We may manage to save him if we are quick enough."

The cries of sympathy he heard convinced him that the absence of the judge from the council of the previous night had not entirely alienated the ranchers from him.

Without wasting time in talk they turned their horses and rode back to where the body lay.

As they came they saw that the party of the Englishman had turned away, fearing to meet them, for there were only five men in the party, and the men with Punch were at least a dozen.

They found the poor old man still in the grass where he had fallen, and took him up and home.

Tom Field rode first, to take the news to the family, for none of the ranchers dared to do it.

He found the place in a state of excitement, for one of the cowboys had just come in from the range, and had spread the news that the "judge was dead."

The first person he saw was Diana Collingsworth, who opened the door and ran out to meet him, her face pale and wild, crying:

"Tell me it is not true! It can't be true! He went away only a few minutes ago. Is he dead?"

Tom shook his head emphatically.

"No, no, I say, no. He is not dead. Whatever you do, don't think that. He is hurt; but we will manage to get him over it, if you will be calm. Pray go into the house and get his room ready. It is imperative he should not be worried now. Calmness is his only hope. Miss Diana, I depend on you. Courage is needed, and you have it. Can you bear to see him and keep from evincing emotion? It is his only hope of life."

He spoke rapidly and almost sternly, for he knew that it was best to rouse the girl to self-control, and he succeeded.

With a desperate effort she calmed herself, and said to him, with quivering lips:

"I will try. But you say there is hope."

"There is, there is," he repeated earnestly. "He was shot by the man Tomlinson in the same place that Tomlinson was shot a few weeks ago. The one got well; and the other may, if he is kept quiet and nursed well. Tell your sister to be quiet. It is the only chance for him."

Then as she went back to the house, in obedience to his orders, given with the authority of the "king of the sick room," he added:

"The man who hurt him is dead. He was shot by a friend of your father."

Without waiting to hear what she said, he turned his horse and galloped back to where the ranchers were coming slowly toward the house with the body of the wounded man. They had made a litter of their saddles, by attaching blankets to the horns of the trees, and had laid the judge thereon, where he would have the least motion from the animals as they walked along.

So he was brought into the door-yard he had left, a few minutes before, full of life, and taken into the house, while the ranchers and

cowboys remained outside, and talked over the affair in the low tones of constraint and anger, that are ominous, in Texas, of vengeance.

The judge had been a favorite all over the county for his generosity and the fact that he came of a good Georgia family—a fact which goes for a good deal in the South.

He had not been so exhausted but that he could speak on the way to the house, and, in a few short sentences tell them how Tomlinson had ridden after and picked a quarrel with him, shooting him down without a chance to defend himself.

He had told them, also, how Tom Field had killed the desperado; and the recital had sent up Tom many degrees in the estimation of his bearers; for they had all known and dreaded Tomlinson, who had the reputation of being the quickest shot in Texas.

When they arrived at the house, and had taken the wounded man in, they left the young doctor to take care of him, and retired, with the delicacy of men who dare not intrude on ladies at any time, but much more in sorrow.

Not one would have dared to do what Tom had done, when he went forward to tell the daughters of the judge what had happened to their father.

Then, in the quiet, cool chamber to which the judge had been taken, Tom had the first opportunity to find out exactly what injury the old man had suffered. The girls were sent out of the room, and the judge was alone with his surgeon.

When the examination was over, the old man asked, in a tone that showed surprising strength:

"Well, doctor, what is the verdict?"

Tom's answer was:

"You are shot through the middle of the lungs, sir; and, if you get over the next three days, you will have a chance."

The judge smiled, as if he had expected a worse message, and said:

"If I get over the next three days? But that is the trouble. If I don't what then?"

"You will sink very rapidly," said Tom, frankly. "I cannot deceive you, sir. If you have any disposition of property to make, it is better it should be made, while you are yet strong."

The old man appeared to be thinking for a short space of time: then he raised his head, and said calmly:

"You are right. I have two daughters to take care of. Tell Helen I want her, and ask the boys to come here and witness my will."

Tom bowed and left the room.

#### CHAPTER XXIX.

##### THE JUDGE'S WILL.

WHEN Helen Collingsworth came into the room, her father said to her:

"Helen, child, go to my desk and bring me the packet that you will find in the drawer at the back that opens with a spring. You know. The secret one, I mean. It is sealed up."

The girl, who was the eldest of the two and the favorite of her father, obeyed and went away, and the old judge continued to Tom:

"You will understand what I mean; for you are a man of education. I used to think you were too timid to do for Texas; but that is all over now. I am going to make you executor of my will."

"But, my dear sir," began the young man, astounded at the idea. "I am no relative of yours, and do not even know what—"

The judge interrupted him with a wave of the hand, as he said:

"I am dying, and you must not refuse me anything now. These girls will be left all alone, and will need a protector. He must be a gentleman in all things. These honest fellows, round here, would be brave enough; but there are other things to be considered. My executor must be a man of knowledge as well as a brave man. Besides, I owe you an apology for my former treatment of you, and the best I can make is to show you that I know I was wrong."

Then, as Helen returned, he said aloud:

"Tell any of our friends that are outside, that I want some witnesses to my will. Is Punch Burleson there? If so, send him, and any of the others here. I wish to do this thing publicly, that there may be no dispute about it."

Then, while the girl had gone to summon the rest, he opened the package, and showed Tom a parchment, all drawn up, in legal style.

"There," he said; "they have always called me 'judge' here; and they were not so far wrong, after all. I am no fool about the law. I had that drawn up, years ago, in blank; and the names of the executors and witnesses are left to be filled in. It saves trouble in proving, to have them all alive. Here they come. Now give me something to keep me up, till I am through this."

Then the ranchers filed into the room, looking awkward and silent, while Diana Collingsworth, who had not hitherto dared to enter, came with them and took her stand by the head of the bed, with a look as if she were going to faint, but very quiet.

Tom Field noticed her paleness, and when he had given the judge the whisky that was needed, he insisted on the girl's taking a swallow of the fiery spirit, which half-choked her but saved her from the collapse that he feared; for Diana was the one of the two, for all her active, out-of-door habits, that had the least courage of the sisters.

Then the old judge looked round him, and said, in clear, strong voice:

"Neighbors, I called you in to witness my will. It has been all ready to sign for years, with the name of the executor in blank. Mr. Field, will you be good enough to write as I dictate?"

Helen, at a sign, brought forth a little writing-table and set it by the bed, and Tom took his seat, ready to write.

"The name of the executor, you will see, is left blank in several places," resumed the judge. "You will put your own full name in there, wherever it occurs."

Here Diana Collingsworth uttered a slight cry of surprise, and looked as if she thought her father must be wandering: but his next words made her stare at Tom Field with still more astonishment.

"I am making Mr. Field my executor, neighbors," the old man pursued, "because he is the best man I can think of to take care of my daughters. He is a man of education, who will know what is necessary to do in the way of law, and he will be called on to defend my children against any hostility that may arise from the cattle company. I know that there is a great struggle coming, here, and the beginning is shown by the way in which their bullies have set on me to-day. Tom Field was the man that killed my murderer, and he is the bravest and best shot I ever saw in Texas. Any girl who gets him for a husband will have a man to depend upon."

The judge spoke slowly and distinctly, as if he wished to make his reparation to Tom as public as he could; but he did not see the effect his words had on his youngest daughter.

To Diana they were as if they had fallen from Heaven, and her face, as she turned it to Tom, writing at the table, was full of mingled triumph, affection and sorrow at her own blindness in the past.

But the presence of strangers and the solemnity of the occasion prevented her from saying or doing anything but use her eyes, and Tom's back was turned to her, so she could not be seen by him.

Tom, on his part, wrote on quietly, and when he had inserted the name in the different places, and the old judge had signed, he turned to Punch Burleson and asked him to come and witness the will.

Punch was better used to wielding a quirt than a pen, but he contrived to get his sprawling signature on the foot of the parchment; and Deaf Smith, who wrote a very fair hand, and had once taught a school in Alabama, affixed his sign manual below Punch's.

Then the judge smiled, as if his mind was relieved, and fell back on his pillows, saying to Tom:

"Take care of that, and don't let it out of your possession. In case of trouble, take it with you. I rely on you to protect my daughters from that man Berkeley. I am convinced that he means us all harm. Now, if you will let me, doctor, I will try to rest a little, for I am tired."

He spoke with a faintness that showed he was weaker than he had allowed it to appear, and the room was cleared in short order, when the old man sunk into an uneasy slumber under the influence of an anodyne, administered by the young doctor.

Then the ranchers went off to their own places, and quiet reigned over the Collingsworth Ranch till late in the afternoon, when the judge woke up and found Helen in the room by his side.

He looked around uneasily.

"Where is Di?"

"Here, sir," said a low voice, and Diana came forward from where she had been hidden by the old-fashioned bed-curtains.

The girl had evidently been crying, and the old man asked her, kindly:

"Why do you cry, child? I am going to get well, the doctor says. If I get over the next three days. Where is Field?"

Diana flushed in spite of her father's eye.

"He has gone away. He said he would be back in the afternoon."

"Is not that the sound of his horse?" asked the wounded man, as the sound of a horse's feet, at full gallop, was heard without.

Diana went to the window to look, and saw the man she had thought a coward coming in at a gallop, while his horse was covered with foam, as if it had been ridden fast and far.

Tom Field leaped off the animal and came to the sick-room, where he asked a few questions, and seemed to be very well satisfied, for he pronounced the patient doing better than he had expected, and added, to encourage them all:

"You must have a strong constitution, judge. You have got over the fever, and the wound

has actually begun to show symptoms of healing. By the by, sir, it is quite possible that I may not be able to be here to-morrow, and I want to say that there is nothing that the best surgeon could do for you, save to keep you up with whisky, if you are weak, and to dress the wound in the way I shall show your daughters."

He spoke to Helen, as if she was the one he meant; but Diana came forward and watched him as he took off the lint that had been placed over the little round hole that showed the track of Tomlinson's bullet. Very luckily for the judge, it had gone clear through the body; so that there was no fear of inflammation from the lodgment of the ball.

The young doctor showed them how to put the little pledges of wet linen over the hole, and how to raise the patient in doing it; for he had become too weak to raise himself now from the loss of blood.

Bandages were useless from the position of the hurt; but the holes were small, and the dressing very simple. A little adhesive plaster to hold the wet linen on was all that was needed.

The patient was too weak to heed much that was going on at the time; but he heard what the doctor said about "not coming the next day," and asked, in an uneasy tone:

"What's the matter? what's the matter, doctor? Are you going to neglect me, now that I've made my will? I can change it, you know—I can change it."

He was very weak and nervous, and the doctor placed his hand on the wounded man's head, saying, soothingly:

"Don't worry over it, sir; don't worry over it. It is not certain all; but I will come if I am not prevented. I will tell the young ladies, and they shall say if I may not be detained without any neglect of you."

Diana favored him with a quick glance, and said:

"I am sure, father, that he would not neglect you; but he has some trouble of his own that may keep him away from us. I will ask him, and tell you."

Then, with a look at Helen that showed the two understood each other, she swept out of the room, and as soon as they were in the dark passage she asked him, quickly:

"What is it? I can bear anything. I am not the coward you think me. More may be mistaken than one, you know."

He smiled down on her; for he knew what she meant, as well as if she had said it openly.

"The fact is," he said, in a low tone, "that man at the company's ranch is going to make all the trouble he can for me. It seems that all his men were sworn in special constables, and that the man I had to shoot was one of them. He has actually got up a charge against me of resisting an officer, and murdering him in the line of his duty. I may be arrested for that to-morrow; but, if I am, it will be worse for him."

"Why?" she asked timidly, as if she did not understand what he meant.

"I mean that your father *will live*," he said with triumph in his eye that was not there before. "If he can only be kept quiet and this news hidden from him, he will be all right. That is why I dare not tell him. It would excite him and perhaps bring on the fever again. In a week he will be strong enough to know it. In the mean time, please remember this: my life depends on his recovery, and that is another incentive to me to bring him out all safe."

"And to me to nurse him carefully and obey your orders," she said quietly. "But why do you say that?"

"Because he is the only witness who saw the whole transaction between me and Tomlinson," said Field. "If I am tried for murder, your father's testimony will show that I acted in self-defense and that the man I killed was a murderer himself. But, to keep your father quiet is the thing now, and the reason I called you out is because you ladies can make up stories better than we can, to account for things to sick people. If I am not here at this time to-morrow afternoon, you will know either that I have been arrested or that I have had to leave the county to escape arrest. If it is the latter, which is the most probable, I shall be back in a week at the furthest, and may be here in two days. Can you keep the secret?"

"I will try," she said, with an effort to appear brave. Then, in the most inconsequent way in the world she burst out sobbing, and went back into the room whence she had come, to the astonishment and dismay of the doctor.

But he had no time to investigate the phenomena of ladies moods, for, as he said, his life was in danger while Berkeley could invoke the law to his aid, even in Texas. He rode away to Satanstown to see his friend, Dr. Horsford, while the two Collingsworth girls concocted a scheme that, for boldness and originality, afterward excited the admiration of the whole county. What it was we shall see very soon.

#### CHAPTER XXX.

##### A HOT CHASE.

THE office of Mr. Belshazzar Levy, in Satanstown, was well known, throughout Satanta county, as the abiding place of the only lawyer who had yet dared to set up his shingle in

that home of the festive cowboy. Satanstown was by no means the ideal home for a lawyer, for the office of city marshal was one that was rarely filled for more than three weeks by the same man, and homicides were the only cases in which Mr. Levy was called on to figure.

And Mr. Levy always appeared for the defendant, so that his sympathies were naturally directed against the enforcement of the law, rather than in the cause of order.

Therefore, when Mr. Levy was accosted by a strange gentleman and requested to appear "for the county of Satanta, to prosecute a man who had shot an officer in the discharge of his duty," he was naturally very much astonished, and said hesitatingly:

"Why don't you go to the district attorney?"

His new client was a well-known personage in the county, as the overseer of the great cattle company, and Levy had to be civil, for the company was known to have unlimited capital at its command; but his surprise made him ask the question.

Berkeley answered him at once:

"I was told that you were the best man in town for my case, and we are prepared to pay well."

Belshazzar screwed up his eyes, and only said:

"Hem! How well?"

The visitor laid a bill on the table, with a capital "D" in the corner.

"There is your retainer," he said. "That is as well as the opposition would pay. Isn't it?"

The lawyer's eyes glittered at the sight, for a single hundred was the largest retainer he had ever yet received, in his experience of Satanstown.

"I'll take the case," he said quickly, as he pocketed the bill. "Give me the facts as soon as you can. Who is the man?"

Berkeley sat down and began, in a clear systematic way:

"The man who was killed was Jack Tomlinson. He was a special constable, sworn in before Judge Concha, in this town, to protect the property of the company. In the execution of his duty, he tried to arrest a man of the name of Field, who had been recognized, the night before, as one of the fence-cutters, who did all that damage, which the county will have to pay for. I saw the whole affair, and the officer was shot by this desperado."

Mr. Levy screwed up his face worse than ever, as he said, in the dryest of tones:

"Now, my dear sir, you are my client; but it is no use my being your lawyer, unless you will give me your confidence. This Tomlinson was pretty well known here, and the public will be against punishing any man who has killed him. Are you sure of your case? Have you any witnesses?"

"None but myself. I saw him fire the shot, and saw Tomlinson fall."

"What witnesses will he have?" asked the lawyer in the same tone. "Was there no one else about, at the time?"

"No one," said Berkeley, with an air of something very like triumph. "Tomlinson had just arrested a man they call Judge Collingsworth, who had been in the same affair, and had had to kill him for resisting the arrest. Collingsworth was the only man but myself who was near, and he is dead."

Levy faced his client squarely, remarking:

"That was a very lucky thing for you, sir. But are you sure that he is dead?"

Berkeley laughed, with a sneer on his lip.

"Just so sure as this, that I went to his house, this morning, to arrest him, and found the crape on the door. The funeral takes place to-day."

The lawyer thought a minute and then said:

"Very well. I will take the case. Do you know where the man is?"

"In this very town. I saw him on the street, not an hour ago. He knows me well enough, and stared at me, as if he wanted to provoke a quarrel with me, but I know when and where to quarrel. What have I got to do now?"

"I will draw up the affidavit, and you will swear to it before Judge Concha, who will give us the order of arrest. Have you any men to execute it? The man who killed Tomlinson must be a pretty hard case, you know—ah, Mr. Berkeley."

Berkeley smiled.

"I will execute it myself, if you please. I came here on purpose."

Levy surveyed him with an air of approval.

"Yes, I think you will do. I will draw the affidavit at once," was all he said.

He heard the tramping of horses and the jingle of accoutrements outside the office window, and he judged correctly that the posse was outside.

He set to work with the rapidity of a man who knows that he is earning a large sum of money easily, and when he had finished, he took Berkeley over to the office of a dark, greasy individual, who rejoiced in the name of Concha, and in Mexican extraction.

Judge Concha and Levy were old friends and understood each other well. The business was transacted in a very short time, and the warrant was drawn up and given into the hands of Berkeley, who was sworn in, with a number of

his followers, "to execute the mandates of the County of Satanta, to apprehend the body of Thomas Field, of the said county, and produce the same before the said justice of the peace forthwith."

Armed with this formidable paper, the Englishman sallied forth into the street, and saw a horseman at the corner below, who made a signal with his hand and pointed to a house before which he was sitting on his pony.

Berkeley rode down the street with all his men, and was followed by a large mob of people who had caught wind of what was going on and wanted to see the fun.

The population of Satanstown was composed largely of gamblers and saloon-keepers, who had little sympathy with the ranchers and cowboys, and Tomlinson had come from the town, where he was idolized by a certain class. Therefore the opinion of the public of the town was decidedly against Field, who was said to be in the house indicated by the man on watch for him, having been traced there.

Berkeley went to the door and tried it.

It was not locked, and he went in at once and traversed the house with his posse, searching for the man who had killed Tomlinson.

The house belonged to the physician of the place, Dr. Horsford, and Tom had gone there in broad daylight, so that it was thought sure that he would be found without any difficulty.

The doctor came to meet them as soon as he heard the footsteps, and asked them what they wanted.

Berkeley told him, and Horsford smiled, as he said:

"My dear sir, you are too late. The gentleman was here a few minutes ago, and he left my house to go to his ranch; so he said."

Berkeley swore a round oath.

"How did he get out?"

"He went by the back door, toward the country. He told me that he anticipated a difficulty if he went out the front way, because the street was full of bullies of the cattle company. You will find him somewhere—"

But Berkeley waited to hear no more, for he pushed his way past the doctor, and went out through the back gate, to find if Horsford had told the truth.

The town was built on a single street, and the backs of many of the houses abutted on the open prairie.

Horsford's did this, among the rest; and the Englishman saw, across the green grass, riding leisurely along as if he saw no need of hurry, the object of his pursuit.

To hurry his horse; sweep down the street at full speed; thence out into the plain, after the fugitive; was the work of a very few minutes.

Then they saw the man before them, without turning his head, put his horse into a canter, as if he knew they were coming and had eyes in the back of his head.

Berkeley set spurs to his own horse, and swept on, in pursuit, while his men raised a yell in the hope of intimidating the fugitive.

But the man before them never turned his head, riding on at the same easy canter, and having a good mile the start of them all.

They gained on him slowly; but their horses had to use their utmost speed to do it, while he kept at a canter, till they had reduced the distance to a quarter of a mile.

To gain that distance, they had to gallop five miles.

Then they began to open fire on him, as they rode; but to no effect, for the shots, fired at that range, at a galloping horse, from another in equally swift motion, were thrown away, in most cases.

One or two sent the dust up above the feet of the pony in front; but that was the worst.

Then, of a sudden, while they were still firing, a flash came from the fugitive's back, and the whizz of a bullet showed that he was fighting back.

Yet he had not even turned his head to look at them, though the bullet went so close to the head of Berkeley's pony, that the animal shied and nearly threw its rider, who had not expected the shot and was leaning eagerly over the pony's neck.

The bullet, in passing, cut a hole in the hat of one of Berkeley's men, and produced a sort of superstitious panic.

Had the man in front turned his head, the effect would not have been so great, but to have a marksman who could come so close without even seeing the mark he aimed at, was what scared the men.

Before the surprise had fairly quieted down, the greater part of the pursuers had pulled in their horses, and the fugitive had gained a good hundred yards on all but Berkeley, who raced on, harder than ever. As he went, he fired shot after shot, from his Winchester, as they could see the dust clouds, all round the heels of the pony.

Then came another flash from the mysterious man, and Berkeley's pony went down, head over heels into the grass, sending its rider after it.

The Englishman scrambled up, and instantly threw up his rifle for a steady aim, for Berkeley was no coward, and the best qualities of

his courage came out now, when he was almost discomfited.

He had one shot left, and it was his business not to throw that away. To stop the fugitive it was necessary to kill his horse, and at the animal the aim of the English overseer was directed.

Tom Field, in advance, saw him in the mirror, which he had inserted in the stock of his rifle, in the manner of a folding-sight, so that he could fire at an object behind him, without the trouble of adjusting the mirror by the eye.

It was mechanically fixed, so that the object seen in the mirror must be under the aim of the rifle.

Tom saw the Englishman in the mirror throw up his rifle and instantly aimed his own weapon back at him. It was a perilous shot from the back of the galloping horse; but the trained pony was easy as a rocking-chair.

Tom had practiced the art of quick shooting, ever since he had received his lesson from Tomlinson, at the ranch, up by the Indian territory.

His life depended on it, and he fired just before Berkeley. The flash of his own piece obscured his vision for an instant; but he felt the sting of a bullet as it grazed his right thigh, showing that Berkeley had missed the horse, and as he turned his head to look round, the Englishman had fallen on the grass, and the men who had come after Tom were galloping up to Berkeley with every appearance of excitement.

The chase was over for the time; for, though he saw Berkeley rise and point after him, the men would not follow, and Tom Field galloped away victor, after his first fight with numbers.

His shot had struck Berkeley in the leg at the very moment of firing his piece, causing a momentary tremor and the loss of the shot, while the English overseer had dropped from the shock, and found that a bullet had grazed his knee-cap.

He cursed, with a virulence that amazed the Texans, who had thought him a man of such dignity that he never swore, and as soon as he had gotten a fresh horse, went back to town, determined to organize a hunt for Tom that should make the county too hot to hold him.

But in this, as other things, he reckoned too fast.

#### CHAPTER XXXI.

##### THE PRISONER SURRENDERS.

A WEEK had passed by, and Satanta county was all agog with the news that there had been a fight with the Indians of the Territory, and that a large number of men, belonging to the great Glasgow Cattle Company, had been killed in the fight.

At first it was certain that this had happened, and that the English lord, who had cut such a spread in the country, had been among the slain, while the red savages were coming down, like a swarm of locusts, to murder and plunder everything they could find in the county.

Then the report was condensed to the statements of people who had heard from eye-witnesses, that the Indians had had nothing to do with the matter at all, and that it was all a desperado, who had been hunted down by a sheriff's posse into the Territory.

Then came the news that nobody had been killed, but that quite a number had been wounded, and that the English lord was among the number.

Finally, a man who wore the company's uniform was caught on the streets of Satanstown, and asked what the trouble was all about.

He declined to answer at first, but, after a few drinks, at the expense of the curious, vouchsafed the information that "he and his friends had been on a wild goose chase, way up to the Injun Territory, where they had been huntin' for a man who was said to live there, and that they had taken refuge in the Territory, where they couldn't get at him now."

That was all he knew "except that he didn't want no more sick rides, on an empty stomach."

Then a rumor spread round the county that the man who had killed Tomlinson had come back and had shown himself on the streets of Satanstown, at night, and in a bar-room.

That he should have gone into a bar-room was not the surprising thing to the minds of the men of the town, but it was the character of the first order that he had given, that was the topic of wonder. For the stranger had taken a glass of water, and had drank it, in plain sight of the bar keeper, when every man in the room was expecting to hear him call for whisky straight, at the very least.

He had had all his weapons on, and had talked with the bar-keeper about the cattle company, and whether any of its men were in town that night.

There were none; for the company was engaged in the task of erecting a new fence, around part of its property, and wanted all its men on its own ground at night.

The barrier around the Collingsworth Ranch was the only remnant of the original fence left; and that had been undisturbed since the famous first night attack of the fence-cutters.

The news that the man who shot Tomlinson

had come back spread rapidly, and reached the ears of Captain Berkeley the next day, when he immediately set off for the town to investigate, and traced the stranger to a place called the "White Elephant," where drinks of all kinds were dispensed to the thirsty and moneyed men of the county, on a cash basis.

But that was all Berkeley could do. What had become of the man, and where he had gone, no one knew, or if they knew, they would not tell.

He had come in, called for a glass of water, and had treated a party of men from the neighboring ranches, after which he had gone away, and the men had gone with him.

Asked who the other men were, the bar-keeper professed ignorance, though he knew every man in the county by sight or reputation.

Berkeley had to go from the saloon without the coveted information, and, as he rode home, saw Punch Burleson with a party of his friends riding from the prairie to the town, as if they had business there. The feeling between the ranchers and the men of the company had grown to that pitch now that neither party ventured out of their own territory save in large parties, and on this occasion the party of the ranchers was a little the larger of the two.

As Punch rode into the street of Satanstown he saw Berkeley at the other end of the street, and waved his hand to the Englishman, as a signal that he desired to speak to him.

Berkeley, not knowing what to make of this, halted his horse, and brought his pistols a little more to the front.

Punch came up, evidently in a pacific mood, and as soon as he was near enough to be heard, he called out:

"You're Captain Berkeley, ain't you, sir?"

"Yes," said the captain, coldly. "What is it, sir?"

"I've got a message fur you, from the gentleman as killed Tomlinson," said Punch coolly. "He axed me to say to ye that he's a-comin' down to surrender himself to-morrer, and that he ain't goin' to run no more. That's all, sir. He'll be hyar at nine o'clock in the morning, afore the jedge hyer—Concha's his name, I b'lieve."

"And where is he now?" asked Berkeley.

Punch grinned, as he replied:

"I dunno, sir. He didn't tell me whar he were. I've given my message, and that's all I know."

The Englishman bit his lip, as he said:

"Then have you any objections to saying where you saw him, sir? I suppose he didn't spring out of the ground, did he?"

Punch shrugged his shoulders as he answered:

"Waal, naow, that air a queerious idee, Cap. Aout of the graound? No, sir; he didn't spring aout of no graound. He come over the prerie, like a good man shoud, on a good boss, and carryin' a good lot of weepins. Whar did I meet him? Waal, if ye wanter know very bad, I'll tell ye, fa'r and squar'. I met him at my own house, and I've jest come from thar."

The Englishman bowed politely, as he answered:

"Thank you very much, sir. Good-day."

Then he rode away, and as soon as he got home, called a caucus of all his men, and directed a close watch to be kept over Punch Burleson's house that night. He would have gone in on a search-warrant, but to have done so would have been to provoke a useless quarrel, and it was probable that Punch had told him the story on purpose to throw him off his guard.

At all events, it was a curious thing that Punch did not come home that night, and that the guards around his house heard shots, in the direction of the log-palace of the company, about midnight.

The captain had given orders that as soon as shots were heard, it was to be the duty of every man on the estate to ride there, as soon as possible, and join in the fight.

Accordingly, the guards around Punch's house put spurs to their horses, and rode in the direction of the firing, when they saw the flashes that told of a hot engagement, and the dark figures on the prairie of two distinct bodies of horsemen, round the fence that encircled the ranch of the late Judge Collingsworth.

They dashed in to the rescue, and found their own men engaged with a body of horsemen, who outnumbered them considerably, so that they were giving way and running.

The arrival of the guards from Punch Burleson's restored the fight in a measure, for, almost immediately, there was heard a whistle, and the men on the other side turned their horses, and fled in all directions. But the cattle company's men were in no condition to pursue. They had lost several men killed, and the rest had seen enough of their opponents to know that a chase in the dark was likely to cost them more than it was worth.

They settled to their work again, and found that the party that had brought on the fight had been the night riders of Satanta county, and had wrecked the wires around the ranch of the late judge, as completely as such a thing could be done. The wires had been cut between every two posts, all around, and half of the posts pulled up, while the raiders had carried

away all their dead and wounded, if they had any, which no one could tell.

Berkeley, who had had command of the whole affair, was furious at the slack watch which had permitted the loss; for it seemed that the damage had been done before the guards around the ranch had given the alarm.

But there was no use in swearing over the matter; and the overseer had, long before, determined to make the county pay for the loss, if there was any law in Texas, which he was assured there was.

So he contented himself with resolving to get the revenge he could out of Tom Field, the next day, and with that, rode home.

The next morning, early, he was on his way to town, with every man he could rake together to ride with him. He knew that Field would not have sent him the message he had, if he had not determined to come surrounded by his friends; and Berkeley had taken the precaution to get the town on his side, as far as he could by sending emissaries who would get "the boys" on his side.

As he neared the town, he saw a large cavalcade coming toward the place, from another direction, and immediately cautioned his men to get ready, in case they saw Field, to "jump him" at once. The captain had learned the meaning of the Texan slang pretty well by this time, and could employ it understandingly.

But he had no chance to "jump" Field, for Field was not there, when he got near enough to see the men who composed the cavalcade.

There were Punch Burleson, Deaf Smith, Colonel Callahan, Limpy Balstrop, and all the other ranchers of Satanta county, and, in the midst of the cavalcade, rode two ladies, beside a horse-litter of the old Mexican pattern, inside of which lay the figure of a man, who had evidently been hurt severely, from the fact that he was lying on the pillows, and not dressed, save in a shirt and white trowsers, loose and easy.

At first Berkeley thought that it was a scheme to deceive him, and that Tom Field was concealed in the litter; but, as he rode nearer, he saw, with inexpressible amazement, that the man in the litter was Judge Collingsworth, whom he thought dead, and at whose funeral he had been a witness.

It was the judge beyond a doubt, and he saw the Englishman; for, as Berkeley rode near, the old man turned his eyes that way, and Berkeley saw him smile, as if something amused him greatly.

In fact it was only that morning that the judge had heard of the trick, of which he and the captain had been made the simultaneous victims.

To make Berkeley believe he was out of danger from the presence of the judge as a witness, the girls had arranged a mock funeral from the house, and had actually buried an empty coffin, followed by a file of mourners, till they could enjoy the triumph of bringing their father out, as a witness, in court, as they were about to do now.

As soon as the Englishman saw the judge alive, he realized that the game was up, as far as the prosecution of Tom for the murder of Tomlinson was concerned, and turned his head away, to escape the eyes of the judge and the sense of his own humiliation, at being outwitted. Then he heard the jeers of the ranchers, as they laughed uproariously to each other, without uttering a word.

But Berkeley understood them, and his face paled like that of a corpse, with the restrained fury of the man, as he rode on, without turning his head.

The self-restraint of his English aristocratic breeding saved him from exhibiting any emotion.

At last they got to the court, and the men of the cattle company crowded into the court-room—it was but a small place at best—with the hope of crowding out Field's friends. Each man had his pistol under his coat, ready for a free fight, which he thought to be impending.

But there was no fight to come off that day.

Just as the cowboys of the company settled themselves, to crowd out anybody who might try to get a seat, the door at the back of the little court-room opened, and the fat and olive-tinted Concha made his oleaginous appearance, and said:

"De gentlemens vill please come to order in de court. De case is dat of de county of Satanta against Thomas Field. De constable vill bring de prisoner into de court."

Berkeley rose in surprise and stared at the door, from which emerged no less a person than Hank the Nailer, with his weapons on, accompanied by Tom Field, who was armed with equal perfection.

"Hyar's the prisoner, jedge," said Hank quietly.

Concha nodded.

"V'ere is de counsel for de people?" he asked. And up jumped Mr. Belshazzar Levy, crying:

"Please your honor, I appear for the people."

#### CHAPTER XXXII.

##### CONCLUSION.

"You vill put in your case," said Concha, without casting a look at the lawyer, though

they had been particular friends, that very morning.

Levy produced his affidavits, and read them to the open court, by which it appeared that Tomlinson had been a regular officer of the law, and that the prisoner had assaulted and murdered him, in the execution of his duty.

Then the judge turned to Field, to ask:

"Vell, vat you say to dat, young man?"

Tom answered:

"Simply that I killed the man in self-defense. He had just shot down a very dear friend of mine, Judge Collingsworth. It was to prevent the murder of the judge, that I interfered, and we fought the fight fairly. I did not know that he claimed to be an officer of the law, when he was acting a desperado's part."

"Haf you any witness to swear dat de man dat vas dead fired de first shot?"

"No, sir, he didn't," said Tom, to the surprise of the Englishman who had expected the reverse. "If he had, I should not have been here to-day. The man was, as you are aware, a splendid shot, and if he had got the drop on me, it would have been all day with me, as they say here. I was riding over the prairie to see my friend Judge Collingsworth, when I saw the man, that I afterward killed, ride up to him. A very few words passed between them and then he shot the judge down without a word of warning, as I was coming close. I shouted at him to deter his aim and save the judge's life, but it was in vain. The judge was shot. Then he turned on me, and I knew that it was a duel to the death. We fired all the shots out of our Winchesters, and it was when we had reloaded that I shot his horse, and the battle really commenced. He tried a trick on me by shamming dead, and nearly caught me; but I got the best of him at last, and shot him down, as he was coming to kill me. That is all, sir."

Old Concha smiled, with an expression of sardonic contempt as he observed:

"Dat is veree prettee story, young man. Meester Levy, call your witness."

Berkeley rose, and said quietly:

"I can say no more than I have said, already. I saw the murder; and the man has just confessed that he shot down the officer in cold blood. He was in the execution of his duty. Is not that enough?"

Levy put his hand on his client's arm to whisper:

"Now, that is all right, you know; but if I am your lawyer, I must conduct this case."

Then he turned to the judge to say:

"If the prisoner has no witnesses to offer, I submit, your honor, that we have proved our case and move his committal at once."

Old Concha turned his eyes on Field.

"Vell, haf you no witness to bear up vat you say? If not, I shall haf to commit you."

"I have one," said Tom, quietly. "Your friend, there, admits that Judge Collingsworth saw the whole transaction—"

Levy burst out laughing, as if he could not contain his contempt for the stratagem of the other.

"Admit!" he cried. "We admit nothing! Why, man, you said yourself that the judge was killed."

"I said no such thing," said Tom, sharply. "I said he was shot. So he was. I attended him, for I am a doctor, and I managed to get him over the wound. He is out of danger now, and if it had been safe before to-day I should have surrendered long ago. He has been brought here, and is outside the court-room. If you'll order those bullies of the cattle company to get out of those seats, judge, and let some gentlemen take their places, he can be brought into court."

The cattle men on the seats rose as by one consent and laid their hands on their weapons, when the judge, with an active dodge under the cover of his desk, roared:

"Order in de court! Goot Got! gentlemen, do not forget vere you are! Constable, clear de court."

The sight of Hank, the Nailer, and Tom Field who had thrown their Winchester rifles forward, and were eying the crowd of bullies below as if to catch the first man that drew a pistol, had more to do with quieting the excitement than anything else. It did not pay to represent the thing then, and the cattle men sat down again. Berkeley, with a bitter scowl at Tom, said, as he rose to leave the room:

"Confound the luck. I'll be even with you yet, sir," Then he said to Levy in an undertone:

"Give up the case. The man's told the truth. The old judge is alive. I saw him in the street not a minute ago. He will tell his story."

Levy shrugged his shoulders, as he replied:

"My dear sir, if you will not trust your lawyer, what can I do? If you had told me that before I opened, I would never have started it."

Then he rose and said to Concha:

"Your honor, we are compelled to enter a *nolle prosequi*. My client has just seen the judge alive, and of course he will corroborate the story of his confederate yonder. We are satisfied that this was a case of cold-blooded

murder from revenge, but we can't overcome the assurance that swears to things, as this man has done, and brings forward his friends to help him out. We drop the case."

So saying, he gathered up his papers and went out of court, while the greasy and olive-tinted judge, who was profoundly mystified by the whole affair, turned to the young man, and said to him:

"Vat is all dis about? Who vas it keeled who? I am astonished."

Tom smiled, for he saw the character of the man—a pompous ignoramus—at a glance, and replied, as he shook hands with him, leaving a ten-dollar gold-piece in the palm:

"It means that the enemy have abandoned the case, sir, and that the boot is on the other foot. You will see that the clerk enters the order?"

The fat judge, whose earnings as justice were small, smiled all over his dark face as he clutched the coin, and exclaimed:

"My dear sare, of coarse, of coarse. It was an *enemista*—a *malista* *conspiracia* against a gentleman. I veel see to it."

Then Tom and his friend, Hank, the Nailer, went down to the street, and found that the cattle company party had taken their departure; for it was not in Berkeley's nature to waste time over a fight that promised no results.

As for Tom Field, he was received, below, with open arms, by his friends; and rode, with the rest of them, to the Collingsworth Ranch, where they had a grand jollification, which was witnessed by the old Judge, who saw it from a hammock, hung under a live-oak tree, on the lawn that lay before the house. His wound was in a fair way of healing, and he had had nothing to excite him that day, for the enemy had given up the fight in advance.

The old man lay in the hammock, surveying the scene with a smile, and his daughter Diana sat beside him, while Helen was doing the honors to the guests, as they drank the judge's health and quick recovery. No one had fears that he would not get well now; for they were used to the cases of men who had received desperate wounds and yet recovered, by the aid of plenty of Texas fresh air and the strong constitution of the rancher who lives his life in the saddle.

The young surgeon, who had made such a stride from persecution to popularity, was among the guests, and Diana's eyes followed him everywhere, with a look that her father noted, as he had never noted it before.

Presently he said to her:

"Di, what are you looking at?"

The color in her face showed him what it was, but she said, hastily:

"Nothing, sir, nothing. I was only thinking—"

"And that's what makes you color so, child?" he asked with a smile. "Nay, don't get so red, or I shall have to call the doctor, to see if you have a fever. That's a very fine young fellow, Di, isn't he?"

She tried to look indifferent, as she answered:

"He is a friend of yours, sir; and that is enough for me."

"Yes," remarked the judge, with a slight chuckle, "he is a *friend of mine*, as you say. By the by, Di, what would you say if I told you that I thought of taking him into partnership?"

She looked up quickly and asked him:

"Do you think of it, really, sir?"

"Yes," said the judge. "The fact is that I had a talk with him this morning after he had dressed my wound. I actually asked him if he would like to renew the offer he made me some time ago to buy a share of the ranch. I refused it then. You know I thought that he had not the pluck that a Texas rancher requires, especially in the fight with this cattle company. I have seen reason to change my mind since then, Di, and I was not ashamed to let him know it. But what do you suppose he said?"

"I'm sure I have not the remotest idea, sir," she said, with an assumption of still greater indifference, and picking at her handkerchief.

The judge smiled.

"I must say that for a man who generally is considerate of the feelings of others, he is the most impudent young fellow I ever met. He actually put a condition on the renewal of his offer. And what do you suppose it was, Di?"

"I'm sure I don't know, sir—why do you ask me?" she said, with a face that was now the color of a peony, and an air of embarrassment that contradicted her words. "You must think I take a great deal of interest in gentlemen, sir."

The old man looked at his daughter with a certain fondness that he had never shown before, as he said, in a grave and serious tone:

"I'll not joke any more, child. He told me that he loved you, and that his condition was that I would give my consent to your marriage with him. I told him that in those matters I must leave you to your own heart. And then he asked me to—"

"What?" she demanded, with a heightened color, and a look in her eyes that showed she did not like what he was saying. "Not to ask

me did he? Because if he did, I say no—at once—no—decidedly NO!"

And the girl frowned, in a way that amused her father, who replied:

"And why, in the name of common sense, child?"

"Because," said Diana, with a toss of her head, "that question should be asked of *me*, and not of *you*, *beforehand*. I don't like your wooers that want to be *sure* before they speak."

"Who said anything about speaking?" asked the judge with an assumption of great surprise. "I'm sure I didn't, child. I was going to tell you what he said, and you burst in on me, in, I must say, a very disrespectful way. If you don't want to hear it, of course that ends the matter."

Diana sat silent for a few moments, and the color went and came on her cheek, while the old man watched her, with the same amused smile, on his face, thinking of the time, long ago, when her mother had looked just like her. At last she murmured:

"I thought—I imagined—that is—I—what did he say, then, if it was not *that*?"

"Was not *what*?" he asked, with mischievous enjoyment of her confusion. "Pray explain what you mean."

Diana looked up at him and her glance disarmed him as she whispered:

"Don't tease, pa; I can't bear it. Tell me quick."

The judge's face softened, as he looked on his daughter, and he said, gravely:

"This is what he said: Tell your daughter, sir, that she was right in her estimation of my character. I am a coward where I am greatly interested and I would give my life for one smile from her. I dare not ask her the question I would ask, till I know one thing. Does she despise me, as she once did?" Diana started, as she ejaculated:

"Despise him! Why, what put that into his head? As if I could despise the man who saved my father's life! No, I don't despise him, sir, if that is all he wants to know."

"Then, that is all that he did," replied the judge in the most matter-of-fact way. "By the by, my dear, will you go and tell the doctor that my wound feels very feverish, and that I should like to go indoors out of the air."

Diana obeyed at once, for the appeal took her on the point where the invalid was the king of the place. She actually sought out the doctor—a thing she would have dared on no other plea, and told him what her father had said. He immediately rose and said to her as he went:

"Please to come with me, then. He wants you too." The girl hesitated, and hung back, but there were too many eyes on her to disobey or show any consciousness of what she felt was coming.

Very soon she stood by the hammock, and found the young doctor there, while the fever that the old man had made the excuse to get her off seemed to have left the wound, and had flown to her own veins, for she was alternately red and pale, as she came forward to the hammock.

As soon as she was near, the judge said:

"Doctor, I asked the young lady the question you requested, and she assures me that she has no contempt for you, but on the contrary, the highest respect. The rest you must ask yourself, she says."

Diana flushed redder than ever, as she cried out, in a tone of indignation:

"I didn't say anything of the sort—I mean—I—It is a shame to tease me so, pa."

The old gentleman lay back in his hammock, while the young man, who had been the cause of the trouble, spoke out in his grave, quiet way, as if he had something to say which demanded a hearing:

"Miss Diana," he said, "I have told your father that there is only one condition on which I can ever become a partner in this ranch, after what has just happened. I have loved you, ever since I saw you, and it has been my whole study to please you. Do you think that you would be happy to be my wife, and have me around all the time? If you would, I offer you my hand and heart, and with them the assurance that I know, now, that you will not be marrying a coward."

Diana heard the words, and she could not but own that the man who could say such a thing before another must have considerable courage.

But she had made up her mind what to do, and raised her eyes to his, to say:

"Mr. Field, I was once very rude to you; and I have regretted it ever since. I made a grave mistake about you, and I will try to repair it for the rest of my life, by loving you, as you deserve to be loved. Now, sir, am I a coward, either?"

He smiled as he answered her:

"I never said you were, Di. You are the woman I love, above all the world."

THE END.

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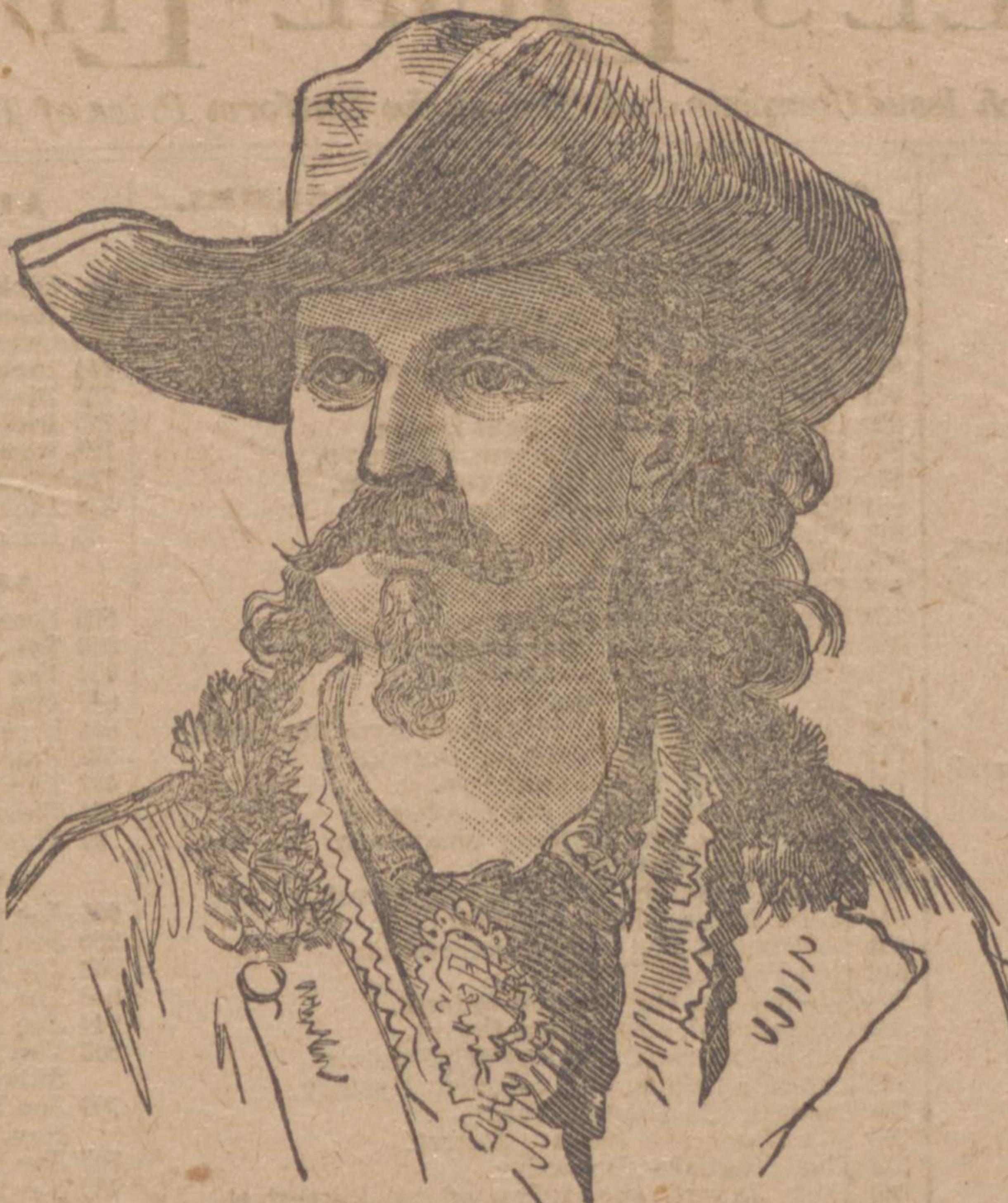
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